NATIONAL ARCHIVES MICROFILM PUBLICATIONS

Microfilm Publication M1650

APPLICATIONS FROM THE BUREAU OF INDIAN AFFAIRS,
MUSKOGEE AREA OFFICE, RELATING TO ENROLLMENT IN THE
FIVE CIVILIZED TRIBES UNDER THE ACT OF 1896

Roll 11

Chickasaw Applications 151 - 285
Chickasaw Freedmen - Index
Chickasaw Freedmen Applications 1 - 3

The National Archives
National Archives and Records Administration
Washington: 1992

APPLICATIONS FROM THE BUREAU OF INDIAN AFFAIRS, MUSKOGEE AREA OFFICE, RELATING TO ENROLLMENT IN THE FIVE CIVILIZED TRIBES UNDER THE ACT OF 1896

On the 54 rolls of this microfilm publication, M1650, are reproduced applications for enrollment in the Five Civilized Tribes under the act of June 10, 1896. These applications, housed in the National Archives-Southwest Region, Fort Worth, Texas, were maintained by the Muskogee Area Office and are part of Records of the Bureau of Indian Affairs, Record Group 75.

Background

On March 3, 1893, Congress authorized the establishment of a commission to negotiate agreements with each of the Five Civilized Tribes--Cherokee, Chickasaw, Choctaw, Creek, and Seminole. The Dawes Commission, named for its chairman, Senator Henry Dawes of Massachusetts, undertook the compilation of a complete Indian census that could be used as the basis for the allotment of tribal lands to individual Indians.

Prior to 1896, the tribes exercised sole jurisdiction over tribal citizenship, but in that year Congress passed an act allowing the Commission to hear and "determine the applications of all persons who may apply to them for citizenship and...determine the right of such applicant to be admitted and enrolled." The Dawes Commission issued notices on July 8, 1896, announcing that it would accept applications for citizenship until September 10, 1896. The application had to be a signed and sworn statement containing all the facts supporting the claim, and the applicant had to provide proof that a copy had been furnished to the tribal chief. Congress required the Commission to make its decision within 90 days of receipt of the application and authorized an appeal process through the recently established U. S. Court in Indian Territory.

The application and appeal process had been underway for two years when Congress passed the Curtis Act on June 28, 1898, (30 Stat. 495). The act authorized the Commission to prepare for each tribe new citizenship rolls that incorporated names

of successful applicants. This "Final Roll" became the only roll used for allotment purposes.

Records Description

This microfilm publication comprises the applications for enrollment of Cherokees, Chickasaws, Choctaws, and Creeks, as well as those of former slaves (freedmen) of the Chickasaw and Choctaw tribes. The National Archives has not located any Seminole applications. Applicants to the Commission included Indians by blood; spouses of Indians, although the spouses themselves were not Indians by blood; and freedmen who had formerly belonged to members of the Five Civilized Tribes.

When they were in active use, most applications were filed numerically according to application numbers assigned by the Commission. Applications from Chickasaw and Choctaw freedmen were filed separately from those of other applicants for citizenship in the two tribes. The Commission maintained some applications, called Choctaw-Chickasaw Duplicates, in alphabetical arrangement. Despite their title, these files do not duplicate any of the applications filed numerically.

To facilitate access to the numerically-filed applications, the Commission prepared several indexes. These have been consolidated into one index and are reproduced on roll 1 of this publication.

Typical application files include supporting affidavits, depositions, letters, memorials, answers of tribal attorneys objecting to enrollment, lists of evidence, and receipts for service of papers. Also included are notices of appeal to the U.S. Court in Indian Territory at either South McAlester or Ardmore and a reference to the case number assigned by the court. While several files contain only a receipt for papers signed by the Clerk of the U.S. Court, a few files document in greater detail the applicant's life. Occasionally there are marriage licenses, photographs, and judgments issued by the U. S. court. Some records provide background information on the applicant including name, post office address, age, degree of blood, lists of children and their ages, and other relatives. Every

document within the application files has been microfilmed.

On the last roll of microfilm are miscellaneous files and applications that were received too late for consideration. These records are not included in the index on roll 1.

Related Records

Related records are found in other series within the Bureau of Indian Affairs, RG 75. The Final Rolls, also known as the "Dawes Rolls," have been reproduced as Enrollment Cards for the Five Civilized Tribes, 1898-1914 (M1186). These enrollment cards include both individuals with tribal citizenship before 1896 and those who were approved for citizenship by the Dawes Commission. The applications for enrollment on the Final Rolls have been reproduced as Applications for Enrollment of the Commission to the Five Civilized Tribes, 1898-1914 (M1301). Records relating to enrollment and allotment for the Five Civilized Tribes, including appeals to the U. S. Court in Indian Territory and cases heard before the Choctaw-Chickasaw Citizenship Court in Tishomingo and McAlester, are housed at the National Archives-Southwest Region (entries #60A-101, and 114-126). Related records for the Five Civilized Tribes are housed at the Oklahoma Historical Society, Oklahoma City.

Meg Hacker wrote these introductory remarks and prepared the records for filming. Volunteers at the National Archives-Southwest Region created the consolidated index.

APPLICATIONS FROM THE BUREAU OF INDIAN AFFAIRS, MUSKOGEE AREA OFFICE, RELATING TO ENROLLMENT IN THE FIVE CIVILIZED TRIBES UNDER THE ACT OF 1896

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[redacted]

Roll 11

Target 1

Chickasaw Applications 151 - 285

[redacted]

1896 Chic 151

(1)

(1)

Hon Dawes Commission.

Vinita Ind Terry

Now

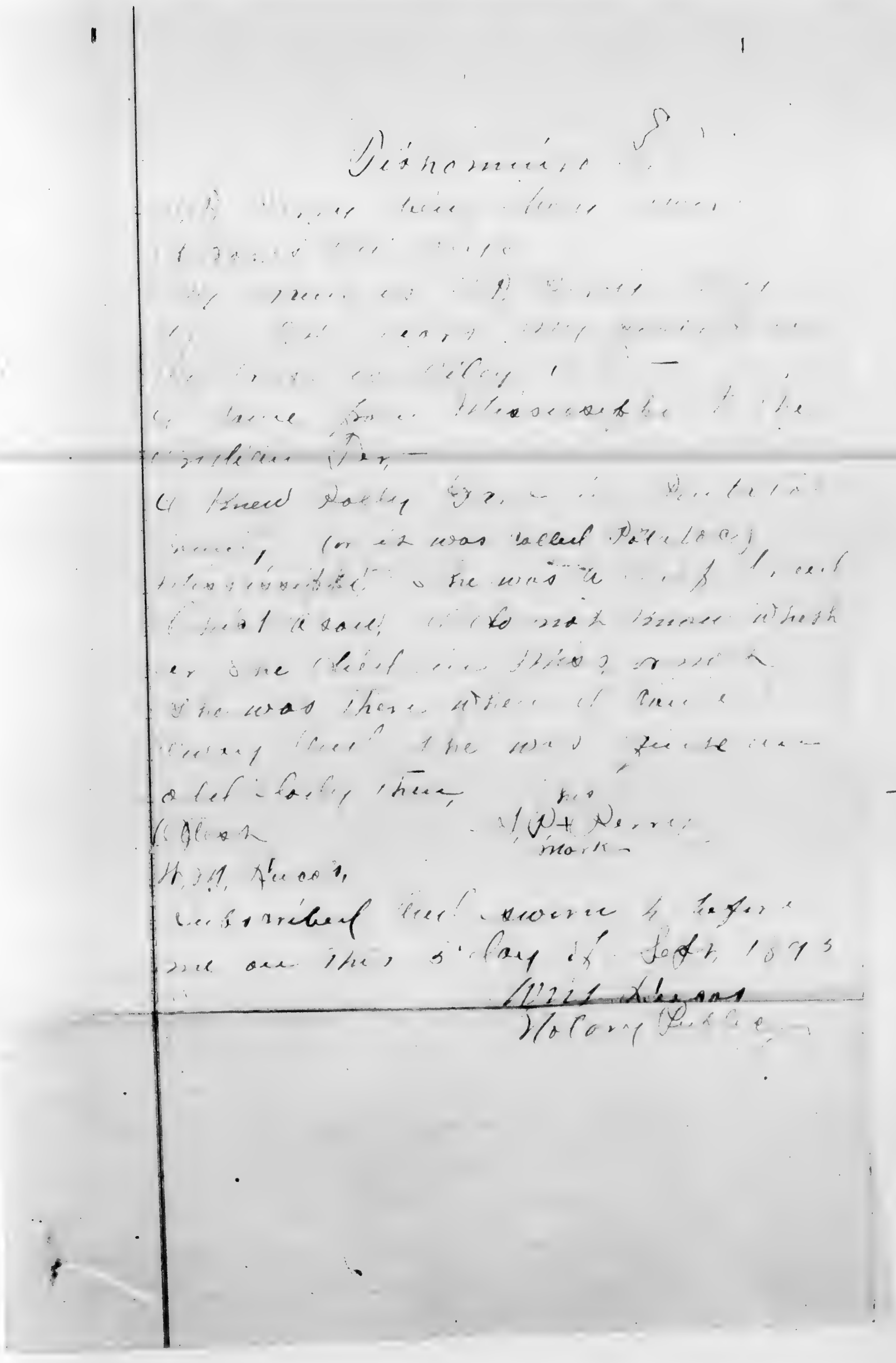
comes Barney Priest and says that he is the Grand Son of one Polly Gage a Chickasaw Woman. which the accompanying affidavits will show.

He therefore prays your Honors to examine the evidence in his case and do what you think is just and right in the premises. believing that you will decide that he is a Citizen of the Chickasaw Nation, and entitled to be enrolled as such.

Barney Priest

Subscribed and sworn to before me this 12th day of August A.D. 1896

W. M. Evans,
Notary Public



Chickasaw Nation, Ind. Ter.

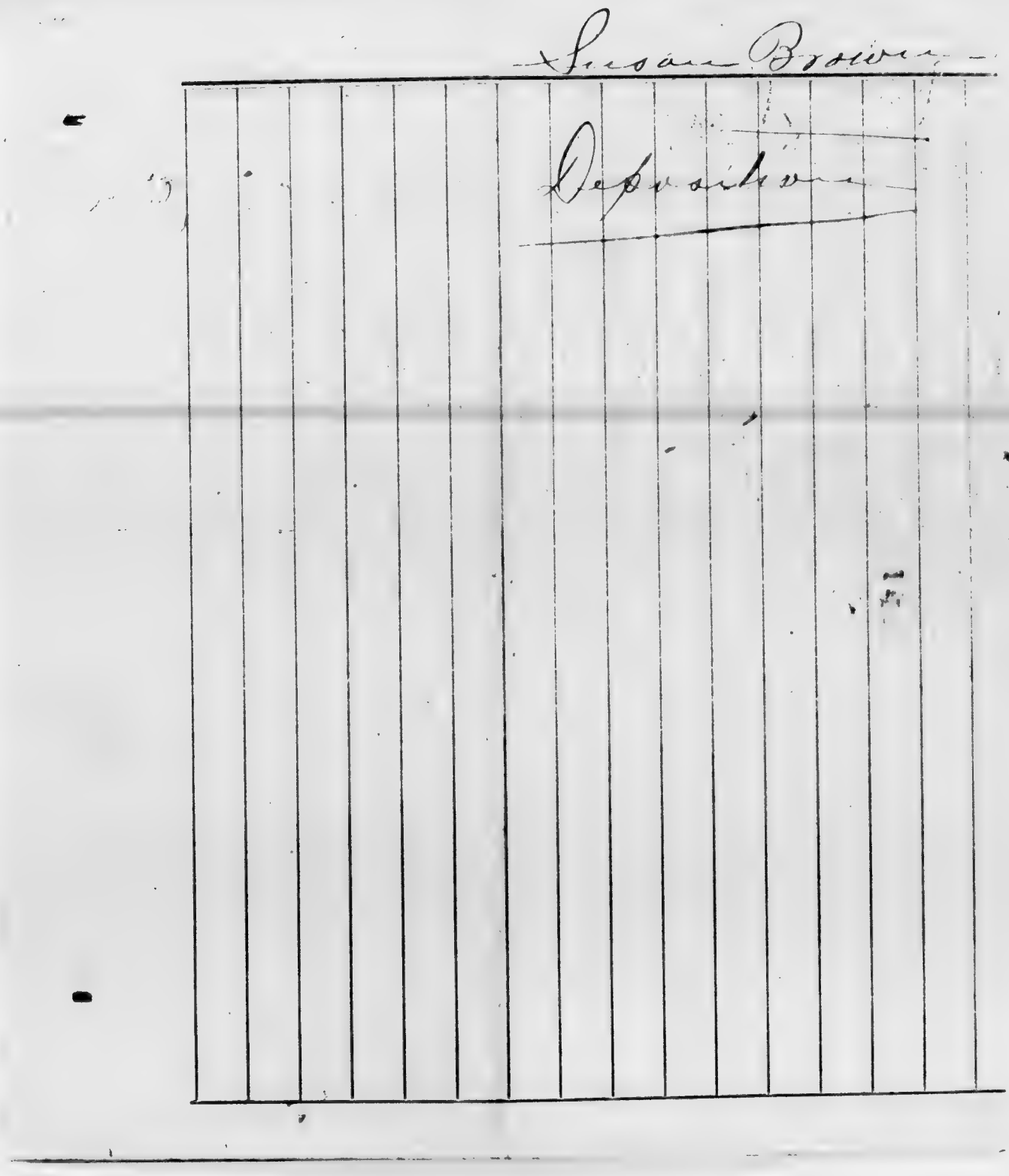
Susan Brown for Polly
sworn to & says Esq Sharps
My name is Susan Brown
My Age is about 60 Years My
Post Office Address is Wild Cat
Co. I.T.
Polly Gibson was
a Chickasaw Woman but I
do not know who she married
It was always my understanding
that Beaky Gibson was Polly
Gibson's Husband.

her
Susan Brown
mark

Attest
W.M. Lucas,

Subscribed & sworn to before
me on this 12 day of Aug. 1896
W.M. Lucas
Notary Public

LEGHORN ABSTRACT
FROM GEO. D. BARNARD & CO.,
ST. LOUIS, MO.


Susan Brown
Deposition

No. 391

Barney Brient

vs

Chickasaw Nation

Filed Aug. 31-1896.
A. J. McKennon.
Clerk

Rejected

1

Recieved of B. L. Boyd a copy of the application of Barney Dricks & the Dawes Commission for citizenship in the Chickasaw Nation and also copies of the affidavits of S. D. Perry, & Susan Brown, in support of same. this 27th day of August 1896

P. S. Mosely
Governor of the Chickasaw Nation.

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Barney Priest et al for
Enrollment in the Chickasaw
Nation.

--: Demurrer and Answer :--

Filed Oct 31, 1896,
W. M. Jayne, Jr.
Dep.

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :

-----o-----

In the Matter of the Application of Barney Pierce & Chl

-----o-----

Now comes the Chickasaw Nation, by its attorneys, and respectfully excepts to the application herein, and says that the same is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

SEcond--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evedence produced by the applicany is insufficient in that it does not show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed

Third--For further special exception, the Chickasaw Nation sys that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore , is not entitled to ay of the rights, privileges and immunities as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CICILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Barney Pickett

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents :

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and always have been citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the application of the petitioners herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained the exhibits hereto attached, and asks that they be considered a part of this answer.

W H E R E F O R E , It prays that the application filed herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Barney Priest et al

-----o-----

Indian Territory,)
) ss. --: Affidavit of C. A. Burris :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared C. A. Burris, who, being first sworn, deposes and says: My name is C. A. Burris; I am 67 years of age, and am a Chickasaw Indian by blood I came to this country with the Chickasaw Tribe of Indians from the state of Mississippi in the year 1837, and have lived here ever since; I have been a member of the House of Representatives of the Legislature ~~xxxxx~~ Legislature of the Chickasaw Nation; also a Senator; District Judge, Supreme Judge, and was this year a Delegate to Washington in the Interest of the Chickasaw Nation; I never knew or heard of any Chickasaw woman by the name of "Dolly Gage" either here or in the State of Mississippi, and have never heard of such a person.

C. A. Burris

Subscribed and sworn to before me on this the 24th day of October, A. D., 1896.

[illegible]
Notary Public.

Indian Territory,)
Chickasaw Nation.) ss. --: Affidavit of Jonas Wolf :--

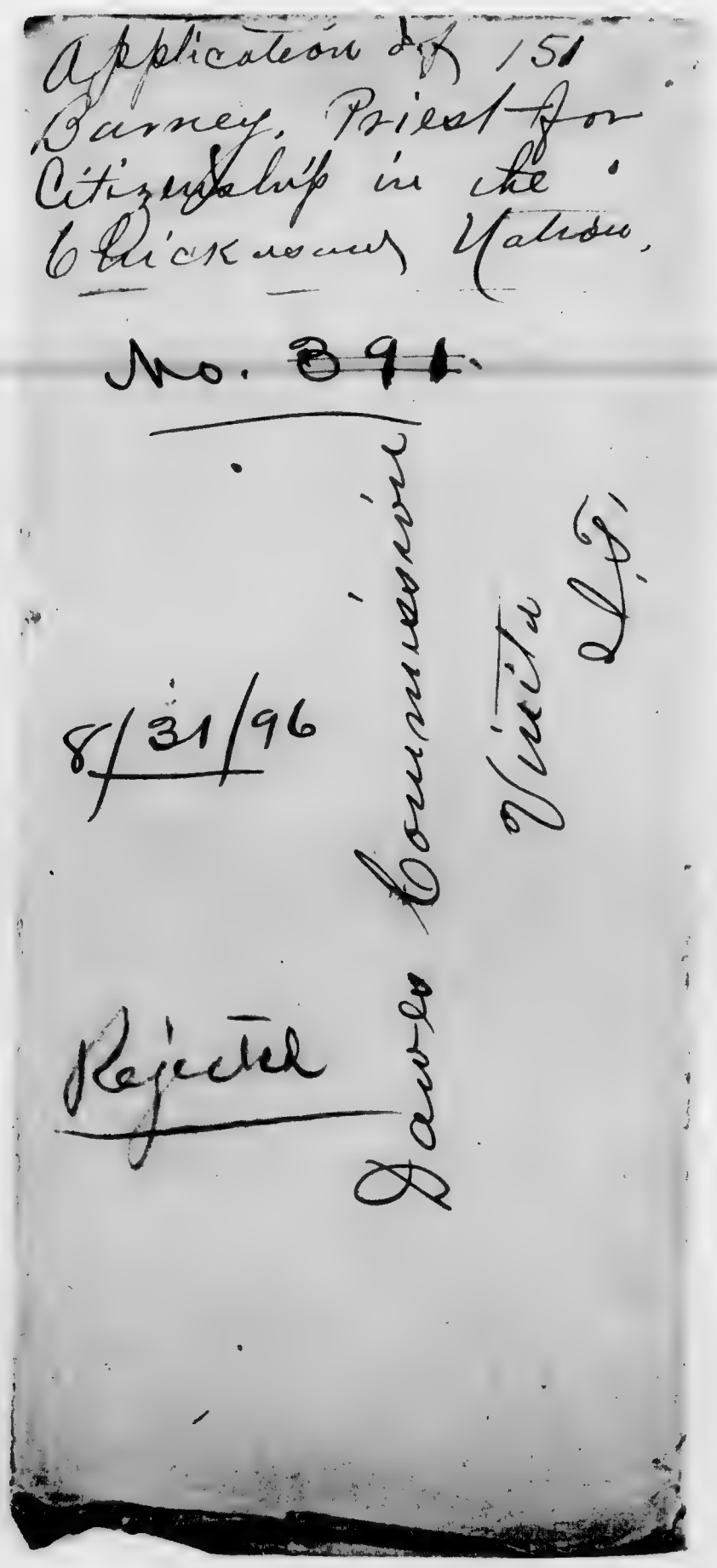
Before me, the undersigned authority, on this day personally appeared Jonas Wolf, who, being first duly sworn, deposes and says: My name is Jonas Wolf; I am a Chickasaw Indian by blood, and am 65 years of age; I came to this country from Mississippi with the Chickasaw Indians; I have been Governor of the Chickasaw Nation, and have held other important positions under the Chickasaw Government; I am well acquainted with Isaac Williams, and a negro known as "Squire" Wolf; I have known them for about thirty years; I am also well acquainted with Sam Perry; I am informed that each of these men have made a great many affidavits in support of Claims to citizenship in the Chickasaw Nation; and I state, upon my oath, that each of these men are unworthy of belief; and would, in my opinion, for a small sum of money, make any kind of an affidavit that was written out for them; they are unreliable in every respect, and their general reputation for truth and veracity is notoriously bad.

Jonas Wolf

Subscribed and sworn to before me on this the 22nd day of October, A. D. 1896.

[illegible] Adams

Notary Public.


Application of Pat Carney, Priest for Citizenship in the Klickanoos Nation.

No. 891.

8/31/96

Rejected

Dawson Commissioner

Victoria

D.T.

End

1896 Chic 152

#80
152 D.
Jno. Satin et al
vs
Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

Jno. Sartin et al

No. 80 vs.

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of Jno Sartin et al to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 9 day of ~~December~~ June, 1899.

Jos. W. Phillips Clerk.

#80

No. 1525

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Jno Austin Etal

VS.

Chickasaw Nation.

Received and filed this day of

189

Secretary.

FEB 3 1897

Clerk.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Jno Burton vs. Chickasaw Nation, as follows:

Application & Evidence	
Ans. & Dem. " "	
Certified copy, entries	
& judgments	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feb. 1897

Jos. W. Phillips

Clerk

End

1896 chic 153

#32

No. 153-D

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Frank Standefer

VS.

Chickasaw Nation.

Received and filed this day of

189

Secretary.

SENATOR JOB PRINT FORT SMITH

FEB 3 1897

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Frank Standefer vs. Chickasaw Nation, as follows:

Application & Evedence	
Answer " "	
Certified copies entries	
& judgments	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feb, 1897

Jos. A. Thacker

#32
#1535

Frank Standifer
vs
Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

Frank Standefer

No. 153 vs.

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of Frank Standefer to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 4 day of ~~December~~ June, 1897.

Jos. W. Phillips *Clerk.*

Ex parte #153

Frank Standifer

Demurrer

FILED Dec. 30
A. S. McKINNON
COM'R

TO THE HONORABLE DAWES COMMISSION:

Ex Parte Frank Lloyd & Son

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E, It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION.

By Its Attorneys.

End

1896 chic 154

No. 679.

BEFORE THE HON. DAWES COMMISSION

In the Matter of Mary L. Stepp's Claim to Chickasaw Citizenship.

Petition and Affidavits, etc.

Rejected

Filed Sept. 2. 1896.
A.S. McClennon
Comm.

R. Stewart Dennie
Ardmore
I.T.

INDIAN TERRITORY,
Southern District,
Chickasaw Nation. } ss.

I, [illegible], do solemnly swear that I have personally examined the original papers, including the affidavits and petitions in the case of Mary K. Stepp vs. Chickasaw Nation, and that I know the copies to be exact and complete copies of the original papers in said case; that I was present when said copies were inclosed, registered and mailed to the governor of the Chickasaw Nation.

[illegible]

Subscribed and sworn to before me on this the 31st day of August, A. D., 1896.

[illegible]
Notary Public.

[illegible]

INDIAN TERRITORY,)
) ss. In the Matter of Mary L. Stepp, Claiming Chick-
Southern District.) asaw Citizenship.

To the Honorable Dawes Commission; Hon. Henry L. Dawes, Chairman:

The petition of Mary L. Stepp, who is domiciled at Cornish, County of Pickens, Chickasaw Nation, Indian Territory, respectfully represents that she is 77 years of age and upwards; that she was married to John D. Stepp on or about February 2nd, 1837, in Hardin County, Tennessee; and immediately removed to the County of Tishomingo, Mississippi, where they resided as man and wife until the year 1839, when they removed to Angoline County, near Angeline River, Texas; that there was born as the issue of said marriage, Mary Yates, aged 52 years; John A. Stepp, aged 47 years; Lucretia Evalina Rayburn, aged 43 years; Napoleon Stepp, aged 41 years, and William A. Stepp, aged 38 years; all now living. That there is no issue of the marriage of her daughter, Mary Yates; that of the marriage of John A. Stepp, there is an issue of eight children, whose names are as follows: John B., Franklin, Hampton, Thompson, Lena, Jacob, Edward Wilson and Robert Lee Stepp. That there is issue of the marriage of Lucretia Evaline Rayburn as follows: Tuilda, Victoria, Elizabeth, Joseph, McCallahan and Leah. That there is as issue of the marriage of her child, Napoleon Stepp, the following children: William, Pearl, Gertrude, Samuel, Hoskin, Jennette and Napoleon. That there is issue of the marriage of her child, William A. Stepp: Eva May, Mary, Alcimine, Edward and Willie; that her said husband, John D. Stepp, deceased about ten years since.

Petitioner further alleges that her father was named Alsimedon Thompson, and that he was one-fourth Indian blood; that my grandfather's name was Peter Thompson; and they lived and died in the state of Tennessee, as I am credibly informed.

That the greater part of my time for the past few years has been spent with my children, who are now living in Texas, except my daughter, Lucretia Evaline Rayburn, who is now living in the said town of Cornish, Nation and Territory aforesaid, where she now makes her home.

Wherefore, Petitioner prays that her name, Mary L. Stepp, and the names of her children and their lawful heirs, viz: Mary Yates, John A. Stepp, Lucretia Evaline Stepp, Napoleon Stepp, William A. Stepp, who are the children of said Mary A. Stepp; John B., Franklin, Thompson, Hampton, Lena, Jacob, Edward Wilson and Robert Lee Stepp, the children of John A. Stepp; Tuilda, Victoria, Elizabeth, Joseph, McCallahan and Leah, the children of Lucretia Evaline Rayburn; William, Pearl, Gertrude, Samuel, Hoskin, Jennette and Napoleon Stepp, the children of Napoleon Stepp; Eva May, Mary, Alcimine, Edward and Willie, the children of William A. Stepp, be enrolled by this Honorable Commission upon the roll now being prepared, or to be prepared, of the Citizens of the Chickasaw Nation, and will ever pray, etc.

Mary L. Stepp

Personally came and appeared before me, the undersigned authority, Mrs. Mary L. Stepp, who, being first duly sworn, deposes and says that all and singular the facts and allegations contained in the foregoing petition are true, and are facts of which she has received information which she believes to be true. Mary L. Stepp

Given under my hand and seal of office this the 27th day of August, A. D., 1896.

[illegible]

Notary Public.

[illegible]

Page #3.

INDIAN TERRITORY,)
) ss. --: Affidavit of Green T. Rayburn :--
Southern District.)

Personally came and appeared before me Green T. Rayburn, who, being first duly sworn, deposes and says: that he is the son-in-law of Mary L. Stepp, by marriage with ~~ther~~ her daughter Lucretia Evaline; that Lucina Thompson, the wife of Alsimedon Thompson, who are the mother and father of said Mary L. Stepp, informed him that the said ~~Mr~~ Alsimedon Thompson was one-fourth Indian by blood; and that her grandchild, Lucretia Evaline Rayburn, had a full Indian right in the Indian Territory; that he is personally acquainted with all of the parties whose names are set forth in the annexed petition, and that all of the facts therein contained are true.

Attest W. G. Stapleton

Green T. X Rayburn
his mark

Subscribed and sworn to before me on this the 27th day of August, A. D., 1896.

A. B. Stapleton

Notary Public.

Southern District I. T.

INDIAN TERRITORY,)
) ss. --: Affidavit of Mary Yates :--
Southern District.)

Personally came and appeared before me, the undersigned authority, Mary Yates, who, being first duly sworn, deposes and says: I am the daughter of John D. Stepp and Mary L. Stepp; that I am 52 years of age; that I well remember my grandmother, Lucina Thompson, and I know that my said grandmother told me on many occasions that my grandfather, Alsimedon Thompson was one-fourth Indian blood; that said Indian blood was always claimed by the family.

+ Mary Yates

Subscribed and sworn to before me on this the 18 day of August, A. D., 1896.

T. G. Cracdwell

Notary Public.

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Mattr of Marry L. Stepp
et al for Enrollment in the
the Chickasaw Nation.

--: A N S W E R :--

Filed Oct. 31, 1896,
H. M. January, Clerk
Secty.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Mary L Stepp et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and respectfully shows to this Honorable Commission that the application herein is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Nation of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights, privileges and immunities as such citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE DEPARTMENTAL COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation

of Mary L. Stepp et al

-----o-----

Now on the Chickasaw Nation, by its Attorneys, and, [illegible] but waiving any objection [illegible] to the application [illegible] and without submitting to, but denying the jurisdiction of this honorable Commission [illegible] question of citizenship in the Chickasaw Nation of Indians, for cause thus, its answer to said application, [illegible] respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and have at all times been, citizens of the United States; and that none of the applicants herein have any valid [illegible] which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the petition of the applicants herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached and asks that they be considered as a part of this answer.

WHEREFORE, It prays that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application of Mary L. Stepp et al for Enrollment in the Chickasaw Nation.

-----o-----

Indian Territory,)
) ss. --: Affidavit of Amos Colbert :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared Amos Colbert, who, being first duly sworn, on oath deposes and says: My name is Amos Colbert; I am a Chickasaw Indian by blood, and am about 35 years of age; I was born and raised in the Chickasaw Nation: I Have been National Interpreter, member of the Legislature, Permit Collector, and have held other offices under the Chickasaw Government; I am well acquainted in the County of Pickens, Chickasaw Nation, and know all the Chickasaws by blood or otherwise in said county; I do not know, nor have I ever heard of, any personas "ALsimedon Thompson," "Peter Thompson" or "Mary L. Stepp" claiming or enjoying any of the privileges of Chickasaw citizenship within said county; I am satisified that is any such persons ever lived in said County who were Chickasaws by blood or otherwise, I would have know them, or would have heard of them.

Amos Colbert

Subscribed and sworn to before me, on this the 26th day of October, A. D., 1896.

W M Lucas

Notary Public.

R. STEWART DENNEE,
Attorney at Law.

NOTARY OFFICE.

ARDMORE, I. T., August 29, 1896. 189

To the Honorable Dawes Commission,
Honorable Henry L. Dawes, Chairman.
V I N I T A , I n d . T e r r .

Gentlemen :

Herewith I beg leave to submit the application, proofs, affidavits, etc., of Mary L. Stepp et al., in the matter of their claim of citizenship in the Chickasaw Tribe of Indians. I also inclose an affidavit to the effect that a copy has been registered and mailed to the Governor of the said Nation.

Respectfully yours,

R Stewart Dennee

Attorney for Applicants.

#154

Ex parte

Mary L. Hipp.

Demurrer

FILED
SEP 30 1920
A. S. McKINNON
CLERK

TO THE HONORABLE DAWES COMMISSION:

Ex Parte Mary L. Hall

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to the Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION.

By Its Attorneys.

End

1896 chic 155

#155

Ex parte

Clemen Clay Stuart
et al

Demurrer

FILED SEPT. 30 1896.
A. S. McKENNON
COM'R

TO THE HONORABLE DAWES COMMISSION:

Ex Parte Clarence Clay Hewitt et al

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E, It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

#92

No. 1555

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

C. C Stinnett Et al

VS.

Chickasaw — Nation.

Received and filed this 6 day of

Feby 189

Henry Sipe Secretary.

DEMOCRAT JOB PRINT FORT SMITH

FEB 3 1897

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

C. C. Stinnett vs. Chickasaw Nation, as follows:

Application & Evidence	
Answer " "	
Certified Copy. of entries & Judgment	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feby 1897

Jos. W. Phillips

Clerk

#9,255

C. C. Stinnett et al

vs

Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY.

Southern District, at Ardmore.

C. C. Himmett et al

No. 92 vs. NOTICE OF APPEAL.

CHICKASAW NATION.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of C. C. Himmett et al to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 13 day of ~~December~~ Jan, 1897.

Jos. W. Phillips, Clerk.

End

1896 Chic 156

#26

No. 156

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

O. W. Gray

vs.

Chickasaw Nation.

Received and filed this day of

189

Secretary.

Sentinel Job Print Fort Smith.

FILED

FEB 3 1897

Jas. M. Shackelford Clerk.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

O. C. Seay vs. Chickasaw Nation, as follows:

Application & Evidence	
Answer " "	
Certified Copies entries & judgments	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feby 1897

Jos. W. Phillips

Clerk

#26
#156 D.

A. W. Seay

vs

Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

O. W. Seay

No. 156 vs.

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of O. W. Seay to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 4 day of December, 1896.

Jos. W. Phillips *Clerk.*

#156

Ex parte

O. W. Hea

Fence

Papers Sent 3 1886

TO THE HONORABLE DAWES COMMISSION:

Ex Parte C. W. Allen

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E, It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced in the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION

By Its Attorneys.

End

1896 chic 157

No.....

Before the Hon rable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of John P. Scott for Enrollment
in the Chickasaw Nation.

--: A N S W E R :--

Filed Feb 6. 1896.
H M Doolittle
Clerk

D. 1

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application of John P. Scott for Enrollment in the Chickasaw Nation.

-----o-----

Comes now the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein, and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First-- The Chickasaw Nationadmits that the said Pheoby Scott is by blood a Chickasaw Indian, and entitled to be enrolled in said Nation, which right has in no manner been denied her by the Chickasaw Nation.

Second--The said Chickasaw Nation admits that the said John P. Scott was lawfully married, as alleged, to the said Pheoby Scott, nee Burris, on the date alleged in said application; it admits that the said John P. Scott is entitled to such rights and privileges, only, as have been guaranteed to intermarried citizens of the Chickasaw Nation by the laws, constitutions and treaties in force in the said Chickasaw Nation at the date of said marriage; it denies, however, that he is entitled to be enrolled, except as an intermarried citizen; or that he is entitled to share in the proceeds of any annuities or lands belonging to the Chickasaw Nation; and respectfully asks that in his enrollment, he be so designated, so that, if the necessity requires in the future, his rights will be defined, and no portion of the property belonging to the Chickasaw Nation will be decreed to him.

All of which is respectfully submitted.

THE CHICKASAW NATION,

By Its Attorneys

Et Ux #1157
John Dalcoth-
Et al
Decree

FILED SEPT. 30 1896.
A. S. McKENNON
COM'R

TO THE HONORABLE DAWES COMMISSION :

Ex Parte John T. Clark et al

Comes now the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim to citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E , It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that said application is insufficient in that the same shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

1

Executive Office.

P. S. Mosely,
GOVERNOR
CHICKASAW NATION.

Tishomingo, Ind. Ter., ... 18..

Received from J. Scott a copy
of an Act of Legislature of
an intermarried citizen of the
Chickasaw Nation, this the 26 day
of August 1896.

P. S. Mosely, Gov.
C. N.

No. 439.

J. P. Scott

v.

Schiedermantel

Filed Aug. 31-96.

H. M. Jacoway

Secy.

D. P. Scott admitted as an Intermarried citizen

Stonewall D. I.

Stonewall

Pontotoc County Chickasaw Nation

In the matter of the application of
Asaw J. P. Scott a citizen of the
United States and Chickasaw Nation has
this day presented his petition and
a certificate of recommendation as
the law directs to this court for
for marriage license to be issued
in such bonds of Matrimony to Miss
Rhoda Bynum a native born citizen of
the Chickasaw Nation Indians and a
resident of Pontotoc County Chickasaw
Nation and the above petition having
fully complied with the require-
ments of the Marriage law of the
Chickasaw Nation.

Now therefore, I, Reuben Carney as
Judge of said County & Nation being
satisfied that he John P. Scott
has strictly complied with all the
requirement & intention of the law.
Now by virtue of authority vested in
me by law is authorized to officiate the same
Given under my hand this the
31st day of Oct. 1911. Reuben Carney
County Judge
Pontotoc county C.N.

This is to certify the rights [illegible]
was duly solemnized on the 1st day
of Nov. A.D. 89

Attest
J. H. Hurst
W. W. Hollis

Hillis Bevers
M. G.

State of [illegible] Aug. 19th 1896
This is to certify that the foregoing is a
copy of the marriage license and
marriage certificate of John P. Scott
and Lucy A. Cooper entered of record in
my office as appears from the marriage records of
Perdoto county C. H. in my office
This Aug. 19th 1896
George Colbert
C. C. Clk

Sworn to and Subscribed before me
This the 19th Day of August 1896
J. G. Chapman
Notary Public
In and for the Third Judicial District

Stonewall Ind. Ter.
Aug. 19th 1896.

Hon Dawes Commission
Vinita Ind. Ter.

I John P. Scott, do hereby apply to you, for enrollment as an intermarried citizen of the Chickasaw nation.
Having married Phoby Burris a citizen of the Chickasaw and Choctaw nations by blood. Said marriage having taken place the first day of November A.D. 1891. according to the Chickasaw laws governing marriage.
Proof of which, I herewith enclose, by certificate from the clerk of Pontotoc County Chickasaw nation.

John P. Scott

Sworn to and subscribed before me
This the 19th Day Aug 1896
J. C. Chapman
Notary Public
In and for the Third Judicial District I.T.

2

End

1896 Chic 158

No.....

Before the Honorable Commission to the Five Civilized Tribes.

In the Matter of the Application of Sallie Sims et al for Enrollment in the Chickasaw Nation.

--: A N S W E R :--

Filed Oct. 29, 1896.
Ann Greaway
Secy

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Julia Mc Call

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and respectfully shows to this Honorable Commission that the application filed herein is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights, privileges and immunities as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

Applicant's Own Statement

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Sallie Sims et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and have at all times bee, citizens of the United States; and that none of the applicants herein have any evidence which whows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the petition of the applicants herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached and asks that they be considered as a part of this answer.

W H E R E F O R E , It prys that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application of Sallie Sims et al.

Indian Territory,
Chickasaw Nation. } ss. --: Affidavit of C. A. Harris :--

Before me, the undersigned authority, on this day personally appeared C. A. Harris, who, being first sworn, deposes and says: My name is C. A. Harris; I am 57 years of age, and am a Chickasaw Indian by blood I came to this country with the Chickasaw Tribe of Indians from the state of Mississippi in the year 1837, and have lived here ever since; I have been a member of the House of Representatives of the Legislature of the Chickasaw Nation; also a Senator; District Judge; County Judge, and was this year Delegate to Washington in the interest of the Chickasaw Nation. I never knew of a man by the name of "William Webb", through whom these applicants claim, or of any such person being a Chickasaw by blood or otherwise; I never heard of him either in this country, or in Mississippi neither do I know of any of the applicants herein being Chickasaws by blood or otherwise; I think that if any of these parties were members of the Chickasaw Tribe, I would certainly have heard of them.

C. A. Harris

Subscribed and sworn to before me on this the 24th day of October, A. D., 1896.

[illegible]
Notary Public.

APPLICATION FOR CITIZENSHIP.

TO THE HONORABLE NATIONAL COUNCIL OF Chickasaw NATION, IND. TER.:

GENTLEMEN: The undersigned, your petitioner, this day makes this Her Application for Citizenship in the Chickasaw Nation, in the Indian Territory, in accordance with the Constitution and laws of said Nation, and repectfully makes the following statement of the grounds of this Her Application, to-wit:

That Salie Sims is the Decendant of one William Webb who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawfully grounds for this Her Application for Chickasaw Citizenship by blood, and respectfully awaits the time when Her Application shall be truly heard and tried. Respectful submitted.

Age 45 year, Postoffice Shannon, Lee Co. Miss

Family with their relationship attached is as follows:

NO.	NAME.	SEX.	AGE.	RELATIONSHIP.
	Salie Sims	F	45	Wife
	W. A. Sims	M		Husband
	A B Sims	"	20	Son
	Eugene Sims	"	18	"
	Evelin Sims	"	16	"
	Erion Sims	F	14	Daughter
	Vasa Sims	M	11	Son
	Ora Sims	"	07	Son
	Salie Sims	F	6	Daughter

In witness of which Application, I hereunto set my hand, on this, the 30 day of Sept 1893.

Salie Sims

Subscribed and sworn to before me this 30 day of Sept 1893.

J. P. BYERS, Attorney-at-Law, Fort Smith, Arkansas.

C B Mayfield J.P.

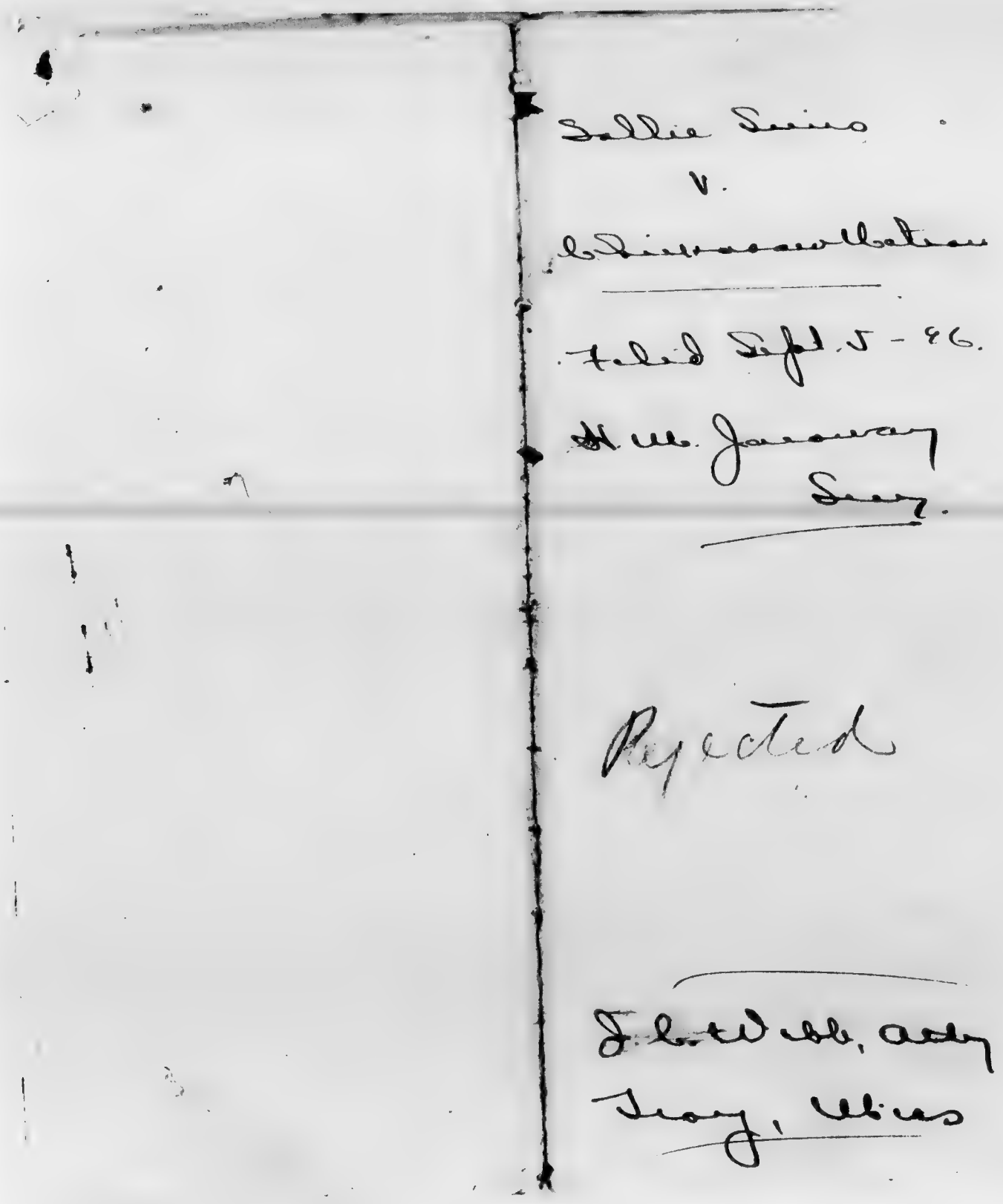
Filed by W. A. Sims Tupelo Miss

THE STATE OF MISSISSIPPI,
LEE COUNTY.

I Norbin Jones Clerk of the Chancery Court in and for said county, do hereby certify that C B Mayfield whose genuine signature appears to the foregoing instrument, is now and was at the date thereof a Justice of the Peace in and for said County duly elected, bonded and qualified as such, and that all his official acts as such are entitled to full faith and credit.

Given under my hand and seal of office at Tupelo, this 9 day of October 1893

Norbin Jones Clerk.


Sallie Sims
v.
Abandonment
Filed Sept. 5 - 86.
H. M. Jamison
Sec'y.

Rejected

J. L. Webb, Asst
Secy. Int.

AFFIDAVIT OF WITNESS

STATE OF Mississippi }
COUNTY OF Lee } ss.

Before Me, the undersigned, a ~~Notary Public~~ Justice of the Peace in and for the county and state aforesaid personally appeared Ed G Shannon who after being by me, duly sworn states that He is 72 years of age, and a citizen of, Lee County and State of Miss and that He is personally acquainted with Dalie Sims

Who is an applicant for citizenship in the Chickasaw Nation, I. T., and affiant further states that the said Dalie Sims is the identical person She represents Her self to be in Miss application for citizenship in said Nation and that the said Dalie Sims is by Her Chickasaw Indian blood

Affiant further states that He has known the said Dalie Sims for the past 45 years and knows that She is and has been recognized and treated by Her neighbors, acquaintances and the public generally, as a person having Chickasaw Indian blood and that the complexion and physical appearance of the said Dalie Sims indicate that the said Dalie Sims is of Indian blood. That from the above facts and circumstances and from statements made to Him by the said Dalie Sims Affiant states He has every reason to believe and does believe that the said Dalie Sims is of Chickasaw Indian blood.

Affiant further states that He has no interest whatever in the prosecution of the claim of the said Dalie Sims to citizenship in the Chickasaw Nation, I. T.

E. G. Shannon

Subscribed and sworn to before me this 30 day of Sept A. D. 1893 and I further certify that I am well acquainted with the said Ed G Shannon and know Him to be a person of credibility and of truth and veracity.

C. B. Mayfield J. P. Notary Public.

My commission expires on the first day of June 1896

~~Joseph P. Byers, Attorney at Law~~

J. M. CAIN, ARTIST PRINTER, FT. SMITH, ARK.

Post O. D. R. Sims
Guntown Miss

THE STATE OF MISSISSIPPI,
LEE COUNTY.

I Norbin Jones Clerk of the Chancery Court in and for said county, do hereby certify that C. B. Mayfield whose genuine signature appears to the foregoing instrument, is now and was at the date thereof a Justice of the Peace in and for said County. duly elected, bonded and qualified as such, and that all his official acts as such are entitled to full faith and credit.

Given under my hand and seal of office at Tupelo, this 9 day of October 1893

Norbin Jones Clerk.

End

1896 Chic 159

#91

No. 159-S

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Mary Elizabeth Stewart et al

VS.

Choctaw Nation.

Received and filed this 6th day of

Feby 1897

Henry Stroop

Sec'y Secretary.

FEB 3 1897

Clerk.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Mary E. Stinnett vs. Chickasaw Nation, as follows:

Application & Evidence	
Answer " "	
Certified Copy entries & judgment	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feby, 1897

Jno. W. Phillips

Clerk

#91
159 D

Mary Elizabeth Stinnett et al

vs

Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

M. Elizabeth Stinnett et al

No. 91 *vs.*

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of M. Elizabeth Stinnett et al to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 13 day of ~~December~~ Jan, 1897.

Jos. W. Phillips *Clerk.*

#159

Ex parte

Mary E. Stimmel et al

Petition

FILED SEPT. 30 189[illegible]

A. S. [illegible]

TO THE HONORABLE DAWES COMMISSION:

Ex Parte Mary Elizabeth Blewett et al

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

End

1896 chic 160

APPLICATION FOR CITIZENSHIP.

TO THE HONORABLE NATIONAL COUNCIL OF Chicasa NATION, IND. TER.:

GENTLEMEN: The undersigned, your petitioner, this day makes this Leis Application for Citizenship in the Chicasa Nation, in the Indian Territory, in accordance with the Constitution and laws of said Nation, and repectfully makes the following statement of the grounds of this Leis Application, to-wit:

That Julia Springer is the Descendant ~~of~~ of one William Webb who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawfully grounds for this Leis Application for Leis Citizenship by blood, and respectfully awaits the time when Leis Application shall be truly heard and tried. Respectful submitted.

Age 50 year, Postoffice Troy Pontotoc Co Miss.

Family with their relationship attached is as follows:

NO.	NAME.	SEX.	AGE.	RELATIONSHIP.
	Julia Springer	Fm	50	Wife
	D. Springer	M	48	Husband
	William Springer	"	25	Son
	Floridia Springer	Fm	20	Daughter
	Edie Springer	M	17	Son
	Merdes Springer	Fm	13	Daughter

In witness of which Application, I hereunto set my hand, on this, the 30 day of Sept 1893.

her
Julia X Springer
mark

Subscribed and sworn to before me this 30 day of Sept 1893.

~~J. P. DYERS, Attorney at Law, Fort Smith, Arkansas.~~

C B Mayfield J P

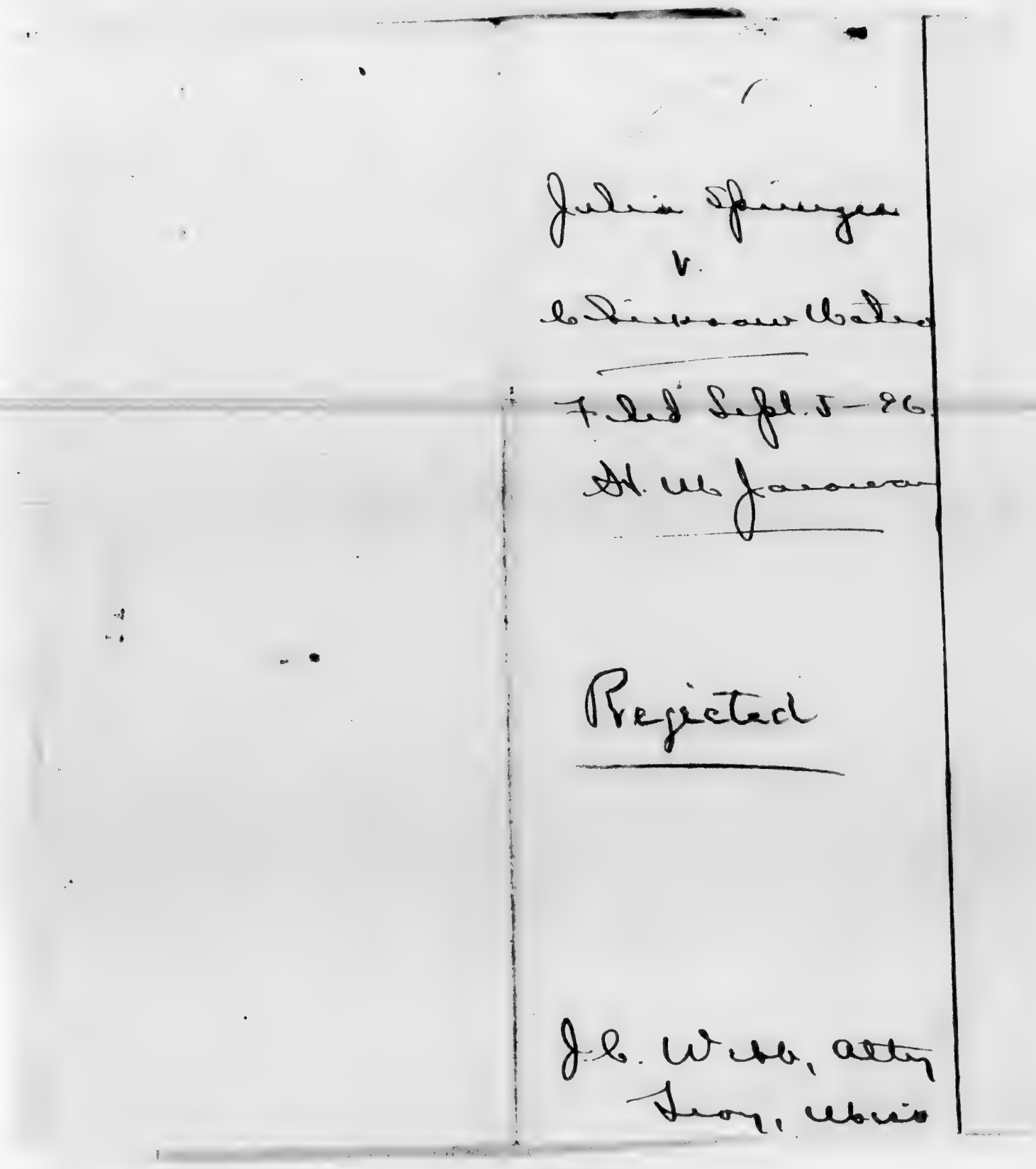
Filed by D A Sims
Greenwood Miss

THE STATE OF MISSISSIPPI,
LEE COUNTY.

I Korbin Jones Clerk of the Chancery Court in and for said county, do hereby certify that C. B. Mayfield whose genuine signature appears to the foregoing instrument, is now and was at the date thereof a Justice of the Peace in and for said County duly elected, bonded and qualified as such, and that all his official acts as such are entitled to full faith and credit.

Given under my hand and seal of office at Tupelo, this 7 day of Octoter 1893

Korbin Jones Clerk.



Julia Springer
v.
[illegible]
Filed Sept. 5-86
H. M. Jamison

Rejected

J. B. Webb, Atty
Troy, Ohio

AFFIDAVIT OF WITNESS.

STATE OF Mississippi }
COUNTY OF Lee } ss.

Before Me, the undersigned, a ~~Notary Public~~ Justice of the Peace in and for the county and state aforesaid personally appeared Ed G Shannon who after being by me, duly sworn states that He is 72 years of age, and a citizen of, Lee County and State of Miss and that He is personally acquainted with Julia Springer, Who is an applicant for citizenship in the Chickasaw Nation, I. T., and affiant further states that the said Julia Springer is the identical person He represents Her self to be in Her application for citizenship in said Nation and that the said Julia Springer is of Part Chickasaw Indian Blood

Affiant further states that He has known the said Julia Springer for the past 30 years and knows that She is and has been recognized and treated by His neighbors, acquaintances and the public generally, as a person having Chickasaw Indian blood and that the complexion and physical appearance of the said Julia Springer indicate that the said Julia Springer is of Indian blood. That from the above facts and circumstances and from statements made to Him by the said Julia Springer Affiant states He has every reason to believe and does believe that the said Julia Springer is of Chickasaw Indian blood.

Affiant further states that He has no interest whatever in the prosecution of the claim of the said Julia Springer to citizenship in the Chickasaw Nation, I.T.

Ed G Shannon

Subscribed and sworn to before me this 20 day of Sept A. D. 1893

and I further certify that I am well acquainted with the said Ed G Shannon and know Him to be a person of credibility and of truth and veracity.

C B Mayfield
Notary Public.

My commission expires on the ____ day of Jan 189 6

~~Joseph P. Rhea, Attorney at Law.~~

J. M. CAIN, ARTIST PRINTER, FT. SMITH, ARK.

THE STATE OF MISSISSIPPI,
~~LEE~~ COUNTY.

I Norbin Jones Clerk of the Chancery Court in and for said county, do hereby certify that C. B. Mayfield whose genuine signature appears to the foregoing instrument, is now and was at the date thereof a Justice of the Peace in and for said County. duly elected, bonded and qualified as such, and that all his official acts as such are entitled to full faith and credit.

Given under my hand and seal of office at Tupelo, this 7 day of October 1893

Norbin Jones Clerk.

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Julia Springer et al for
Enrollment in the Chickasaw
Nation.

)) ANSWER ((

Filed Oct. 29. 1896.
Stm Jacoway
Clerk

non Resident

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Lillian Barnett et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and respectfully shows to this Honorable Commission that the application filed herein is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights, privileges and immunities as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

Application dismissed-no
residence

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation of Julia Springer et al.

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and have at all times bee, citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the petition of the applicants herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached and asks that they be considered as a part of this answer.

W H E R E F O R E , It prys that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application of ~~xxxx~~ Julia Springer et al

Indian Territory,)
) ss. --: Affidavit of C A. Burris :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared C. A. Burris, who, being first sworn, deposes and says: My name is C. A. Burris; I am 67 years of age, and am a Chickasaw Indian by blood I came to this country with the Chickasaw Tribe of Indians from the state of Mississippi in the year 1837, and have lived here ever since; I have been a member of the House of Representatives of the Legislature of the Chickasaw Nation; also a Senator; District Judge; Supreme Judge, and was this year Delegate to Washington in the interest of the Chickasaw Nation. I never knew of a man by the name of "William Webb", through whom these applicants claim, or of any such person being a Chickasaw by blood or otherwise; I never heard ~~of~~ him either in this country, or in Mississippi neither do I know of any of the applicants herein being Chickasaws by blood or otherwise; I think that if any of these parties were members of the Chickasaw Tribe, I would certainly have heard of them.

C. A. Burris

Subscribed and sworn to before me on this the 24th day of October, A. D., 1896.

[illegible]
Notary Public.

End

1896 Chic 161

#97
161-D

J. R. Timmonds

vs

Chickasaw Nation

Order of Appeal

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

J. R. Tinny et al

No. 97 vs.

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of J. R. Tinny et al to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 18 day of ~~December~~ June, 1896.

Jos. W. Phillips *Clerk.*

#97

No. 161

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

J. R. Viney et al

VS.

Cherokee Nation.

Received and filed this day of

189.

Secretary.

SENTINEL JOB PRINT FORT SMITH

FEB 3 1897

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

J. R. Tinney vs. Chickasaw Nation, as follows:

Application & Evidence	
Dem, Ans. " "	
Certified Copy, entries & judgments	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feby. 1897

Jos. A. Phillips

Clerk

#161

Ex parte
Barney Brisch
et al

Demurrer

FILED SEPT. 30. 1896.
A. S. McKENNON
CLK'R

TO THE HONORABLE DAWES COMMISSION:

Ex Parte Barney Price et al

Now comes the Chickasaw Nation, by its attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E, It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to shew any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

—OFFICE OF—
STEPHEN C. TREADWELL.
ATTORNEY-AT-LAW.

Fishomingo, I. T. Sept 7 1896

Hon. A. S. McKennon
United States Ter,
Dear Sir & friend:

I send under this cover the application of Mrs. J. R. Finney et al, which you will please file.

Yours truly
S. C. Treadwell

(Lehin 1846) 161

End

1896 Chic 162

54

No. 1625

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

J. W. Thompson

VS.

Chickasaw Nation.

Received and filed this day of

189

Secretary.

SENTINEL JOB PRINT FORT SMITH

FEB 3 1897

Clerk.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

D. W. Thompson vs. Chickasaw Nation, as follows:

Application & Evidence Certified copy entries & judgments	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feby, 1897

Jos. W. Phillips

Clerk

#54
#1625
J. W. Thompson
vs.
Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

J. W. Thompson
No. 162 vs.
CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of J. W. Thompson to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 4 day of ~~December~~ Jan, 1897.

Jos. W. Phillips Clerk.

End

1896 chic 163

163

Han. United States Court
Five Civilized Tribes
of Indians

Application of
James Ferguson Phillips Et. al
for citizenship
Choctaw & Chickasaw nation

Original

Filed Sept 9. 96
A. M. McKennon
Clerk

Supported by Wm. Williams
affidavit

Rejected

Lindsey Brown
Atty. for applicants

INDIAN TERRITORY -:- SOUTHERN DISTRICT.

Before me, the undersigned Notary Public within and for the Southern District, Indian Territory, this day personally appeared R B Hill, to me well known, and upon oath states: That he carefully compared the original and the copy of the application of Innis Furguson Phillips for Citizenship in the Chickasaw Nation; That on the 5th day of September 1896 he left a true copy of the application, all affidavits and papers thereto attached as referred to in the above case with P. D. Moseley, Governor of the Chickasaw Nation at his home at Minco Pontotoc Co I.T.

R B Hill

Subscribed and sworn to before me, this the 6th day of September 1896.

John F. Brown
Notary Public, Southern District, Indian Territory.

United States of America,
Southern Judicial District,
Ardmore, Indian Territory

TO THE HONORABLE COMMISSION OF THE UNITED STATES TO THE FIVE CIVILIZED TRIBES OF INDIANS:-

The undersigned petitioners James Ferguson Phillipps and his wife, Sarah Phillips and Columbus B. Phillips and his wife, Sallie Phillips and their 8 children viz:- Richard, age 17 years, Sarah age 15 years Ollie age, 15 years, James age, 10 years Della age, 8 years Leola age 6 years, Eva age 4 years and David age 10 months, and Emily M. Phillips. And Mary I Jones and her husband D. D. Jones and their two minor children viz:- Nolan age 13 years and Edgar age 6 years. And Louisa C. Bloxham and her husband T. J. Bloxham and their 6 minor children viz: Caston Bloxham age 10 years, Robert Bloxham age 8 years Morris age 10 years Tucker Bloxham age 4 years, Sarah E. Bloxham age 2 years, and John Bloxham age 11 months. And Andrew J, Phillips and his wife Ella Phillips and their two minor children viz:- Walter Phillips age 5 year Pearcy Phillips age 3 years. And Sarah Griffin and her husband J. L. Griffin and their two minor children viz:: Della Griffin age 3 years, and Rosa L. Griffin age 1 year.

Represent and show to this Honorable Commission that they and each of them are members of the Chickasaw tribe of Indians by blood. And that they and each of them are of right entitled to have their names placed on the roll of the Chickasaw tribe of Indians which roll is to be prepared by this Honorable Commission.

Further these petitioners say:-

That James Ferguson Phillips was legally and lawfully married to Sarah E. Weeks a white woman in the month of JUNE A. D. 1853, and that the record of the marriage license has been burned and they have lost the certificate of same. and that the have lived together as man and wife ever sine that marriage. And that the said James F. Phillips is the son of Nimrod Phillips and Sallie or Sarah Phillips whose maiden name was Sallie or Sarah Wolfe who was full blood Chickasaw Indians. And that the said James F. Phillips mother was named Bettie Wolfe a full blood Chickasaw Indian [illegible] ed to the Intalichi House of Chickasaw Indians in Pontitioc County Mississippi. And that his mother died about three months before the Chickasaw Indians removed to the Indian Territory.

And that his grand mother Bettie Wolfe who was a full blood Chickasaw Indian started on the tirp from Mississippi to the Chickasaw Nation at the time the said Chickasaw Indians were removed from Mississippi and that on the way she died with small pox. And that by reason of being the son of the said Sallie or Sarah Wolfe who was a full blood Chickasaw Indian that he is a half breed Chickasaw Indian. And that Columbus B. Phillips i s the legitimate son of the said James F, Phillips. and that by reason of being his son he is a I/4 Chickasaw Indian by blood. And that on the 22 day of Dec A. D. 1878 near the town of Mosisko Mississippi he married Sallie E. Stone and ever since that time they have lived together as man abd wife and by virture of that marriage there has been borned unto them the following named Children:- Richard S. Phillips, age 17 years, Ollie Phillips age 15 years, Sarah Phillips age 13 years James I. Phillips age 10 years, Della M. Phillips age 8 years, Leola Phillips age 6 years, Eva Phillpps age 4 years David Phillips age 10 ronths. And that the above petitioner Emily Phillpps is the daughter of the said James F. Phillips and she is a I/4 Chikasaw Indian by blood. And that the baove petitioner Mary I. Jones is the legitimate dau ghter of the said James F. Phillips and she is therfeore a I/4 part Chickasaw Indian by blood and that she was married to her husband D. D. Jones on the 14 day of Nov A. D. 1879 and to them have been borned the following named children Nolan Jones age 13 years, Edgar Jones age 6 years. And that the above petitioner Andrew J Phillips is the legitimat

son of the said James F. Phillips and he is a I/4 part Chickasaw Indian by blood and that on the 17th day of Dec A. D. 1887 near the town of Kosisko Mississippi he was lawfully married to Ella Chapman and that to them by virture of that marriage there have been borned the following children towit:- Walter Phillips age 5 years, Pearcy Phillips age 3 years.

The petitioner Sarah E. Phillips states that she is the legitimate daughter of the said James F. Phillips and that she is a I/4 part Chickasaw Indian by blood, and that on November the 10 A. D. 1890 at Nebo I. T. she was married to J. L. Griffin and that since said marriage they have lived together as man and wife and to them have been borned The Following named Children:-Della Griffin age 3 years, Rosa Griffin age I year.

All the petitioners hereto state that they nor their ancestors have ever at any time received any lands or any sums of money from either the United States Governmanet or the Chickasaw tribe of Indians. And in support of this application these petitioners hereto attache the affidavits of, James F, Phillips, Columbus B. Phillips, Mary I. Jones, Louisa Bloxham, and Andrew Phillips , and Sarah Phillips and Emily M. Phillips and Ike Williams and_____

_____.

Wherefore, your petitioner James F. Phillips and his wife Sarah Phillips and Columbus B. Phillips and his wife Callie Stone and his 8 minor children to wit:- Richard Phillips Della Phillips Eva Phillips Ollie Phillips James I. Phillips Leloa Phillips and David E. Phillips and Mary I Jones and Emily Phillips, and the husband of Mary I Jones and her two minor children Nolan Jones and Edgar Jones. And Louisa C. Bloxham and her husband T. J. Bloxham and their 6 minor children viz Robert, Sarah, Gaston, Tucker, John Bloxhams. And Andrew Phillips and hiswife Ella Phillips and their 2 minor Children Walter and Pearcy Phillips. And Sarah Griffin and her husband J. L. Griffin and their 2 minor children viz:- Della D. Griffin and Rosa L. Griffin. each and all of the above petitioners ask that their names be placed on the Chickasaw roll that is to be prepared by this Honorable Commission:-

James Ferguson Phillips
Sarah E. Phillips
Columbus B Phillips
Callie E Phillips
Richard E. Phillips Sarah E. Phillips
Della B. Phillips Eva B. Phillips
James I. Phillips Leola Phillips
David E. Phillips Ollie V. Phillips
By there Father & next friend
Mary I. Jones
L. D. Jones
Nolan Jones Edgar Jones
By There Mother Mary I Jones
Louisa C. Bloxham
T. J. Bloxham
Mary Bloxham Gaston Bloxham
Robert E. Bloxham Tucker Bloxham
Sarah Bloxham John Bloxham
By there Mother & next friend
Louisa C. Bloxham

Andrew J. Phillips
Ella P. Phillips
Walter P. Phillips & Pearcy Phillips
By there Father & next
Friend Andrew J. Phillips
J. L. Griffin
Sarah A Griffin
Della D Griffin
Rosa L Griffin
By there mother & next
Friend Sarah Griffin

United States of America,
Southern Judicial District,
Indian Territory.

Before me the undersigned Notary Public in and for the Southern District Indian Territory on this day personally appeared the following named persons to me well known:-
James Ferguson Phillips, for himself, and Sarah Phillips for herself, and Sallie Phillips for herself and Columbus Phillips for himself and Richard Phillips for himself, and Sarah E Phillips for herself, Della Phillips Eva Phlips James I. Phillips Leola Phillips, David Phillips and Ollie V. Phillips by their father and next friend. Columbus Phillipps. Emily Phillips for herself and Mary I. Jones for herself, and D.D. Jones for himself and Nolan Jones, and Edgar Jones by their Mother and next friend Mary E. Jones. Louisa G. Bloxham for herself and T. J. Bloxham, for himself, and Morris Bloxham, and Gaston Bloxham, Robert Blox am, Tucker, Bloxham Sarah Bloxham and John Bloxham by their mother and next friend Louisa G. Bloxham. Andrew J. Griffin for himself and Ella Phillips for her-self and Walter P. Phillips and Pearcy Phillips b by their father and next friend Andrew J. Phillips. And J. L. Griffin for himself and Sarah Griffin for herself Della D. Griffin and Rosa Griffin by their father and next friend J..L. Griffin, and upon oath each and all of them s ate that they had signed the foregoing application for the purposes therein set forth. and expressed and that the same are true as they severally believe.
Witness my hand this the first day of September A. D..1898.

J. J. Benn
Notary Public Southern District, Indian Territory:-

UNITED STATES OF AMERICA,)
SOUTHERN JUDICIAL DISTRICT,)
ARDMORE, INDIAN TERRITORY.)

IN RE

Affidavit of JAMES FERGUSON PHILLIPS.

Before me, the undersigned authority, personally appeared James Ferguson Phillips, who, after being first duly sworn to tell the truth, the whole truth and nothing but the truth, deposes and says:

My name is James Ferguson Phillips; I am 68 years of age; I was born in Pontotoc County, Mississippi, on Sycamore creek, August 24, 1828. My father's name was Nimrod Phillips; he was a white man. My mother's maiden name was Sally, or Sarah, Wolf; she was a full blood Chickasaw Indian. My grandmother's name was Bettie Wolf, and was a full blood Chickasaw Indian. My grandmother belonged to the Intellahoe house of Chickasaw Indians in Pontotoc County, Mississippi. My mother died about three months before the Chickasaw Indians were removed from the State of Mississippi to their future home in the Chickasaw Nation, Indian Territory. She died from the effects of a tumor on her right shoulder. My grandmother, who was a full blood Chickasaw Indian, started with the Chickasaw Indians when they left Mississippi to move to the Indian Territory, and died on the way from Smallpox. She was buried by a freedman, owned by my grandfather, by the name of Squire Wolf. I think Ike Williams, another Chickasaw freedman, was in the same train or body of Indians when my grandmother died, and I think he saw her buried, -at least that is my information.

When my mother died, which was about three months before the Indians removed to the Chickasaw country, my father died about a year afterwards and I was left an orphan. I was turned over to a family by the name of Montgomery, and stayed with them about three years, when an Indian by the name of Mayberry stole me away and carried me to the Choctaw County, in Mississippi, among the Choctaw Indians. I stayed there until I was grown and I married there. I married a white woman by the name of Sarah A. Weeks in June, 1853. I understood that the place where I

got my license to be married the records were all destroyed, and I have lost my marriage certificate. My wife and I have lived together ever since we were married as husband and wife, and have raised a family of six children; our oldest child is Columbus B. Phillips; next, Emily M. Phillips; next, Mary I. Jones; next, Louisa G. Boxham; next, Andrew J. Phillips; next, Sarah A. Griffin.

Our son Columbus B. Phillips was duly and lawfully married to Sally E. Stone some time in 1878, in Kosciusko, Mississippi, where I lived; I saw the marriage, and know they were married according to law. They have by their said marriage the following minor children:

Richard S. Phillips, age 17 years,

Sarah E. Phillips, age 18 years,

Della M. Phillips, age 8 years,

Eva B. Phillips, age 4 years,

Ollie V. Phillips, age 15 years,

James J. Phillips, age 10 years,

Leola Phillips, age 6 years,

David E. Phillips, age 10 months.

Our daughter, Mary I. Phillips, was married at our house to D. D. Jones, in the year 1879, near Kosiusco, Mississippi. I was present at their marriage. They have since lived together as husband and wife and have to minor children, viz:

Nolan Jones, age 13 years,

Edgar Jones, age 6 years.

Our son Andrew J. Phillips was married to Ella Chapman, near Kosciusko, Mississippi, in the year 1887. I was present and saw them married, and know they were legally and lawfully married. They have had by virtue of said marriage two minor children, viz:

Walter P. Phillips, age 5 years,

Persey Phillips, age 3 years.

Our daughter Louisa G. Phillips was married to T. J. Boxham, at our home, near Kociusko, Mississippi. I do not remember the year, but

the marriage taken place at my house, and they have since lived together as husband and wife, and have six children by virtue of said marriage, viz:

Morris, age 16 years,
Robert Boxham, age 8 years,
Gaston Boxham, age 11 years,
Tucker Boxham, age 4 years,
Sarah A. Boxham, age 2 years,
John Boxham, age 11 months.

Our daughter Sarah A. Phillips was married to J. L. Griffin on the 16th day of November, 1890, at Nebo, Indian Territory, and since that time have lived together as husband and wife, and have by virtue of their marriage two minor children, viz:

Della D. Griffin, age 3 years, and
Rosa L. Griffin, age one year.

After I was married I lived in Mississippi, where I was raised, until about 8 years ago, when I moved with all of our family to the Chickasaw Nation, Pickens County, Indian Territory.

About three years ago I employed Judge Carter to prove my right before the Chickasaw counsel. After I had gotten up all my testimony, including an affidavit from Squire Wolf and another affidavit from Ike Williams, which were turned over to Judge Carter, he died. Since his death, I have seen his son C. D. Carter, and he stated to me that he turned my testimony over to one Doc Murray, and I have been unable to procure it.

My understanding is, that Squire Wolf has since that time died, and I will be unable to procure his testimony, unless I can find the affidavits which were turned over to Judge Carter.

In that affidavit, Squire Wolf stated that he was well acquainted with my grandmother and my mother. In fact, he belonged to my grandfather and grandmother. He identified me as being the son of Nimrod Phillips and Sally Phillips, whose maiden name was Sally or Sarah Wolf,

and remembered that the said Sarah or Sally Wolf, who was my mother, was a full blood Chickasaw Indian. He stated in his affidavit when my mother died, and that my grandmother started with the Chickasaw Indians, and that he started with her; when the Indians were removed from Mississippi to this country, and that she died on the road, of Smallpox, and that he ~~sk~~ helped bury her. I was small at that time, but he recognized me by a scar across my right hand, which he remembered that I received when I was a small boy, at my mother's ~~home~~ home.

Shortly after I came to the Territory, knowing that I was entitled to a right, I commenced to trace it up, and as soon as I had everything which I thought was sufficient, I applied to Judge Carter, as above stated, to take charge of my case.

I have never received, nor have any of my children, any lands back in Mississippi in exchange for our rights there, or any money from any tribe of Indians.

In Squire Wolf's affidavit, above referred to, he stated that he saw my mother and father married, and that they were married according to the Indian law. He also stated that he knew the cause of my mother's death being a tumor on her shoulder.

Ike Williams, I understand, is still living.

James Ferguson Phillips

Subscribed and sworn to before me, this the 31st day of August, 1896.

John F. Brown
Notary Public, Southern District, Indian Territory.

UNITED STATES OF AMERICA.
SOUTHERN JUDICIAL DISTRICT,
ARDMORE, INDIAN TERRITORY-

IN. RE. THE AFFIDAVIT OF:-

IKE WILLIAMS:-

Before me the undersigned authority personally appeared IKE WILLIAMS who after being first swron to tell the truth the whole truth and nothing but the truth deposes and says:-

My name is Ike Williams I am 73 years o f age, I am a Chickasaw freed-man, I was owned by Marcus McGee. In pontitoc County Mississippi I was acquainted with Squire Wolfe an old negro who used to belong to and Indian woman by the name of Bettie Wolfe. I think that she belonged to the "Intellohot House of Chickasaw Indians She had a daughter by the name of Sallie or Sarah Wolfe some called her Sallie and some called her Sarah Wolfe. I remember when Sarah Wolfe died, she died a short time before the Chickasaw Indians were removed from Mississippi to the Indian Territory, I think that the cause of her death was a Tumor, on her shoulder. I came with the Chickasaw Indians from Mississippi to the Indian Territory. There were quite a number of us who came along with the Chickasaw Indians and most of them are now dead. I came in the crowd that Squire Wolfe came in and his old mistress was also in the crowd, her name was Bettie Wolfe and I well remember that she died on the way of Small Pox, she died before she reached the Indian Territory.

Bettie ~~Sallie or Sarah~~ Wolfe, who owned Squire Wolfe, and who died on the way from ~~Mississippi~~ to the Indian Territory , was a full blood Chickasaw Indian, and her daughter Sarah Wolfe who I think married a man by the name of Nimrod Phillips, a white man, was also a full blood Chickasaw Indian woman, I do not remember exactly the child ren of Sarah Wolfe, who after she married was named Phillipps. My understanding was that after we moved to the Indian Territory about one year, Nimrod Phillipps died, and I think he left an orphan boy. My understanding was that he was carried away down in Choctaw County Mississippi among the Choctaws and was raised there.

2.

I have since seen him and I am satisfied that he is the same orphan boy that was left by Nimrod Phillipps. I remember being present before Squire Wolfe died and Squire Wolfe recognized James Ferguson Phillipps as being the orphan boy of Nimrod Phillipps and Sarah Phillips, who was Sarah Wolfe before she ~~XXXX~~ Married. He was positive to the Identity on account of a scar on the right hand of the said James F. Phillips and he remembered that the boy of Nimrod Phillipps received a scar, when he belonged to Sarah Phillipps's mother. I have lived in the Indian Territory for about 18 years.

Albert Randall Williams — Albert Randall Williams

Subscribed and sworn to before me on this the 7th day of September A. D. 1896.

John F. Brown
Notary Public for the Southern District, Indian Territory.

1

UNITED STATES OF AMERICA,)
SOUTHERN JUDICIAL DISTRICT,)
ARDMORE, INDIAN TERRITORY.)

IN RE
Affidavit of LOUISA G. BOXHAM.

Before me, the undersigned authority, personally appeared LOUISA G. BOXHAM, who, after being first duly sworn to tell the truth, the whole truth and nothing but the truth, on oath deposes and says:

I am the daughter of James Ferguson Phillips; I am 54 years of age; my name is Louisa G. Boxham; I was married to my husband T. J. Boxham at my father's house, near Kosciusko, Mississippi, on the 18 day of December, 1878 We have by virtue of our marriage six minor children, viz:

Morris Boxham, age 16 years,
Gaston Boxham, age 11 years,
Robert Boxham, age 8 years,
Tucker Boxham, age 4 years,
Sarah A. Boxham, age 2 years, and
John Boxham, age 11 months.

Louisa G. Boxham

Subscribed and sworn to before me, this the First day of August, 1898.

F. F. Benn
Notary Public, Southern District, Indian Territory.

UNITED STATES OF AMERICA,
SOUTHERN JUDICIAL DISTRICT,
ARDMORE, INDIAN TERRITORY.

In Re

Affidavit of ANDREW J, PHILLIPS.

Before me, the undersigned authority, personally appeared ANDREW J. PHILLIPS, who, after being first duly sworn to tell the truth, the whole truth and nothing but the truth on oath deposes and says:

My name is Andrew J. Phillips; my age is 30 years; I was married to Ella Chapman near Kosciusko, Mississippi, on the 17 day of November, 1887. I am a son of James Ferguson Phillips. My father was at my wedding. We have ever since lived together as husband and wife, and have two minor children by virtue of our marriage, viz:

Walter P. Phillips, age 5 years, and

Percy Phillips.

Andrew J Phillips
By Ella J Phillips

Subscribed and sworn to before me, this the five day of August, 1896.

J.J. Benn

Notary Public,
Southern District,
Indian Territory.

UNITED STATES OF AMERICA,
SOUTHERN JUDICIAL DISTRICT,
ARDMORE, INDIAN TERRITORY.

Affidavit of MARY I. JONES.

Before me, the undersigned authority personally appeared MARY I. JONES, who, after being first duly sworn, to tell the truth, the whole truth and nothing but the truth, deposes and says:

I am the daughter of James Ferguson Phillips; I was married to my husband D. D. Jones on the 24 day of November, 1879, at my father's house, near Kosciusko, Mississippi. We have by virtue of our marriage two minor children. viz:

Nolan Jones, age 13 years,

Edgar Jones, age 6 years.

Mary I. Jones sept

Subscribed and sworn to before me, this the First day of August, 1893.

D. F. Benn

Notary Public, Southern District, Indian Territory.

UNITED STATES OF AMERICA,)
SOUTHERN JUDICIAL DISTRICT,)
ARDMORE, INDIAN TERRITORY.)

IN RE
Affidavit of COLUMBUS B. PHILLIPS.

Before me, the undersigned authority, personally appeared COLUMBUS B. PHILLIPS, who, after being first duly sworn to tell the truth, the whole truth and nothing but the truth, deposes and says:

My name is Columbus B. Phillips; I am 42 years of age; I was married to Sally E. Stone on the 22 day of December, 1878, near Kosciusko, Mississippi. My father was at my wedding. I have lost my marriage certificate. We have by virtue of our marriage eight children, as follows:

Richard S. Phillips,
Sarah E. Phillips,
Della Ann Phillips,
Eva B. Phillips
Ollie V. Phillips,
James J. Phillips,
Leola Phillips, and
David E. Phillips.

I am a son of James Ferguson Phillips.

Columbus B. Phillips

Subscribed and sworn to before me, this the First day of Aug August, 1896.

W. J. Benn
Notary Public, Southern District, Indian Territory.

UNITED STATES OF AMERICA,)
SOUTHERN JUDICIAL DISTRICT,)
ARDMORE, INDIAN TERRITORY.)

IN RE
Affidavit of J. L. GRIFFIN.

Before me, the undersigned authority, personally appeared J. L. Griffin, who, after being first duly sworn to tell the truth, the whole truth and nothing but the truth, deposes and says:

My name is J. L. Griffin; I am 30 years of age; I am the son-in-law of James Ferguson Phillips. I married his daughter Sarah A. Phillips, on November 16, 1890, at Nebo, Indian Territory. I have a certificate of my marriage, which is attached to this affidavit. We have ever since our marriage lived together as husband and wife, and have by virtue of our marriage two minor children, viz:

Della D. Griffin, age three years,

Rosa L. Griffin, age one year.

I saw Doc Murray at Tishomingo some time in May of this year, and he stated to me that he had the affidavits of Squire Wolf and Isaac Williams and other evidence in reference to my father-in-law's claim for citizenship, and that he would send the same to him at once.

J. L. Griffin

Subscribed and sworn to before me, this the 31st day of August, 1896.

J. Johnson F. Brown

Notary Public, Southern District, Indian Territory.


#163

James F. Phillips et al

vs

Demurrer

FILED SEPT. 30 1896.

A. S. McKENNON

TO THE HONORABLE DAWES COMMISSION:

Ex Parte James Ferguson Phillips et al

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application of
James Ferguson Phillips et al for
Enrollment in the Chickasaw Nation.

--: A N S W E R :--

--BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation

of James Ferguson Phillips et al.

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and respectfully shows to this Honorable Commission that the application filed herein is insufficient in law

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application of James Ferguson Phillips et al for Enrollment in the Chickasaw Nation.

-----o-----

Comes now the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First--The Chickasaw Nation denies that any of the applicants herein are citizens by blood or otherwise of the Chickasaw Nation, and denies that they are entitled to be enrolled as citizens or members of said Nation.

Second--The Chickasaw Nation avers that the only evidence, which could be considered as direct by this Honorable Commission, as to the Chickasaw blood of these applicants, is that of one Isaac Williams; said Nation further avers and shows to this Honorable Commission that the evidence of the said Isaac Williams is unworthy of credence, and that the reputation of the said Williams for truth and veracity is notoriously bad, and that the said Williams would for a small consideration make oath to any sort of an affidavit.

W H E R E F O R E , There being no credible evidence before this Honorable Commission as to the claims of the applicants, and which allegation is supported by affidavits hereto attached, the said Chickasaw Nation prays that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application of James Ferguson Phillips et al for Enrollment in the Chickasaw Nation.

-----o-----

Indian Territory,)
) ss.
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared C. A. Burris, who, being first duly sworn, on oath deposes and says: My name is C. A. Burris; I am 67 years of age, and am a Chickasaw Indian by blood; I came to this country with Chickasaw Tribe of Indians from the state of Mississippi, in the year 1837, and have lived here ever since; I have been a member of the House of Representatives of the Legislature of the Chickasaw Nation; also a Senator, District Judge, Supreme Judge, and was this year Delegate to Washington in the interest of the Chickasaw Nation; I never heard or knew of any Chickasaw by the name of [illegible] Wolf or Sarah Wolf, or Bettie Wolf, and am well acquainted with the Wolf family of Chickasaws; I think that if there ever had been any persons of these names, who were Chickasaws, I would have known them, or heard of them.

C. A. Burris

Subscribed and sworn to before me on this the 24th day of October, A. D., 1896.

[illegible]

Notary Public.

Indian Territory,)
) ss.
Chickasaw Nation.)

--: Affidavit of H. F. Murray :--

Before me, the undersigned authority, on this day personally appeared H. F. Murray, who, being first duly sworn, on oath deposes and says: My name is H. F. Murray; I am 77 years of age, and have resided in the Indian Territory ever since 1854, and have been in the Chickasaw Nation since 1870; I am a practicing lawyer in the Chickasaw Courts; I am well acquainted with Isaac Williams, and another negro known as "Squire" Wolf, or J. S. Wolf, and have known them for ten or twelve years; I am informed that each of these men have made a great many affidavits in support of citizenship claims in the Chickasaw Nation; and I state, upon my oath, that each of these men are unworthy of belief; and would, in my opinion, for a small sum of money, make any kind of an affidavit that was written out for them; they are unreliable in every respect, and their general reputation for truth and veracity is very bad.

H. F. Murray

Subscribed and sworn to before me on this the 22nd day of October, A. D., 1896.

Notary Public.

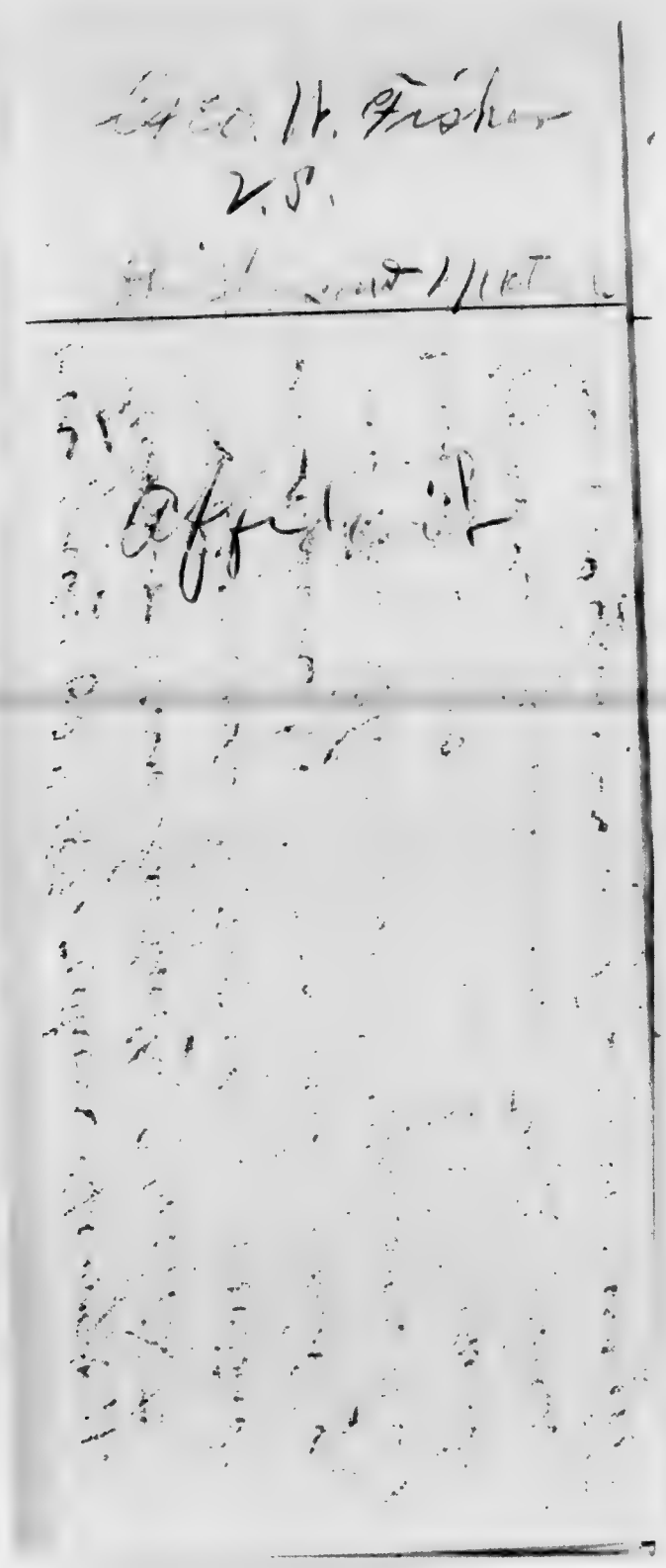
End

1896 Chic 164

George W. Fisher

George W. Fisher

A. D. Rench
Notary Public
of the 3rd Judicial Division
of the Indiana Terr. Com-
Expires Nov 15th 1873



[illegible]

in
[illegible]

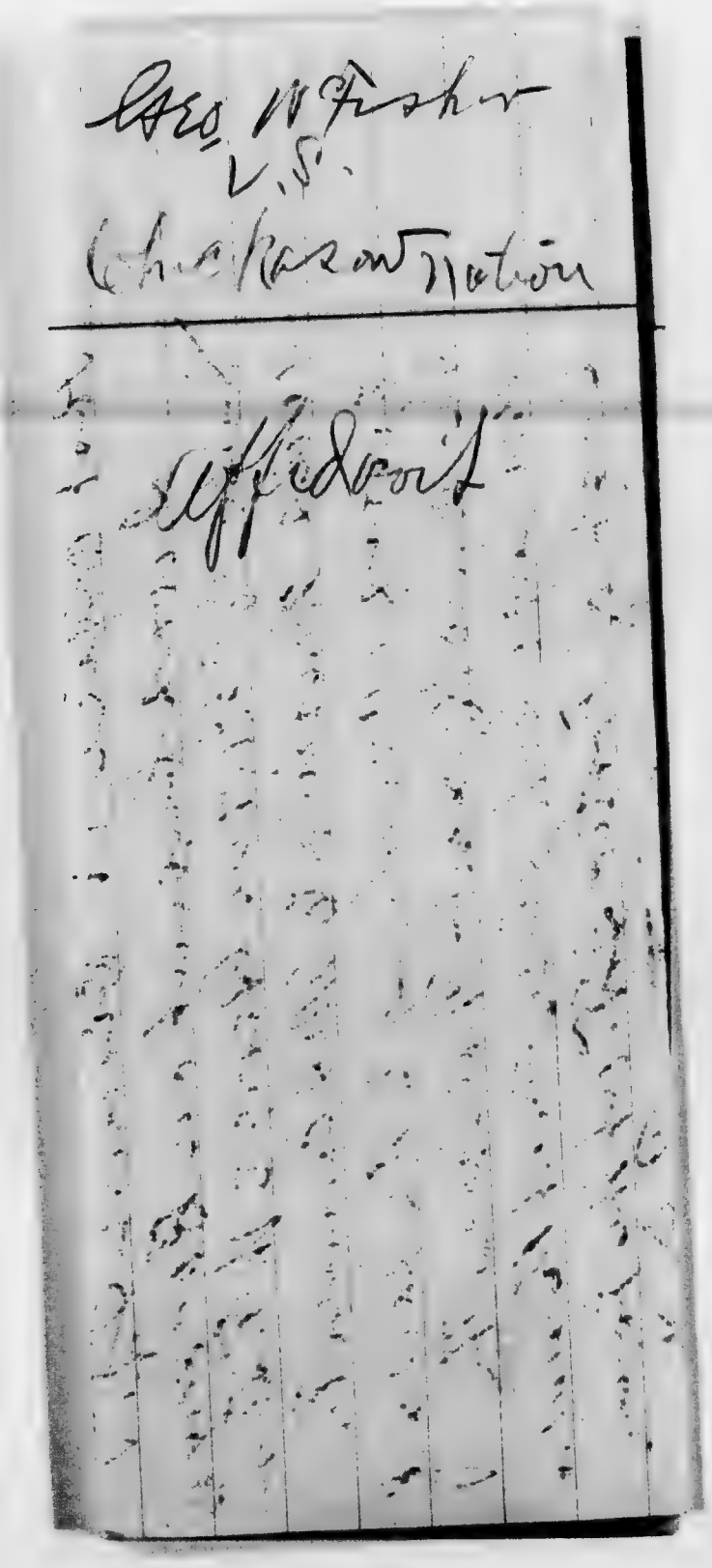
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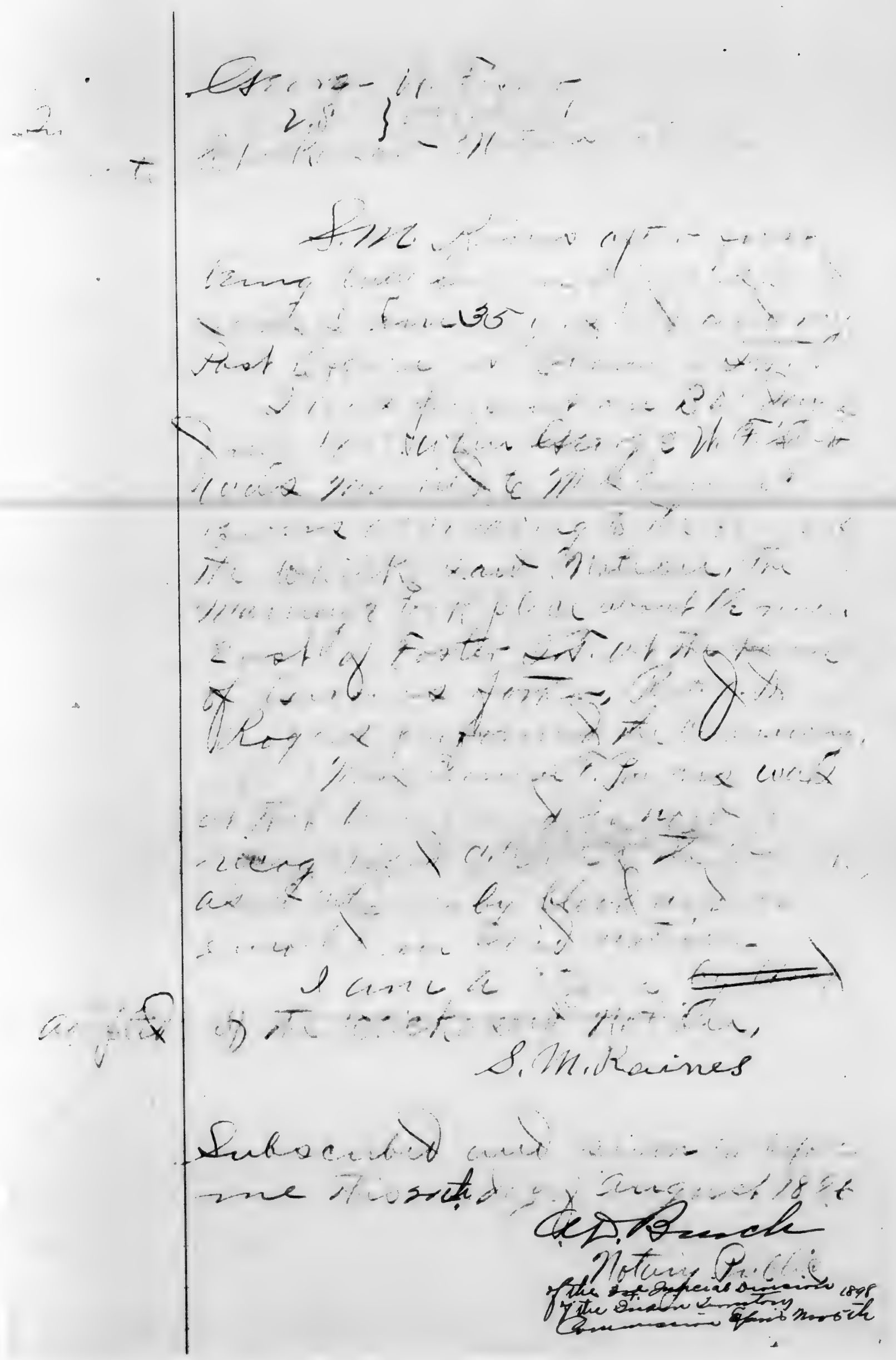
W. A. Clowers

[illegible]

C. D. Burch
Notary Public,
of this Judicial division of
the Indian Territory
Expires Nov 6th 1898


Geo. W. Fisher
vs.
Cherokee Nation

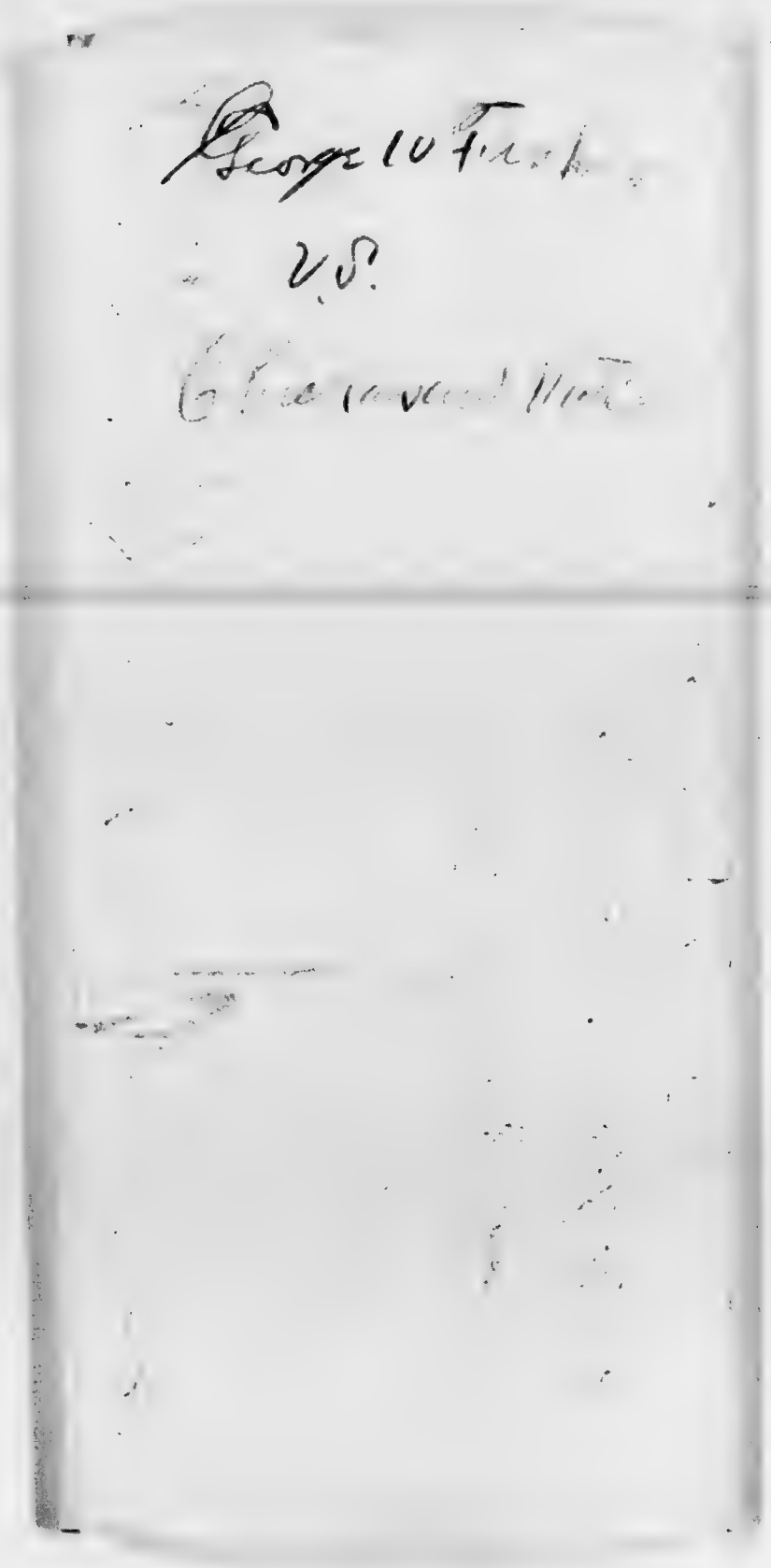
Affidavit



S. M. Raines

Subscribed and sworn to before
me this 30th day of August 1898

A. D. Brooks
Notary Public
of the 3rd Judicial District
The State of Kentucky
Commission expires March 1900



Geo. B. Curtis,
—Attorney-at-Law.—

in duplicate

Pauls Valley, I. T. 1896.

Book A. page 185-

Recorded on page 147 [illegible] 1895.

George Cobb [illegible] U.

I, Geo. B. Curtis do Solemnly swear that the above and foregoing is a true copy of record in the [illegible] of George Cobb [illegible]

Geo. B. Curtis,
Attorney-at-Law.

Pauls Valley, I. T., 1896.

No 603

Geo. W. Fisher

vs

Cherokee Nation

Petition

Filed Sept 2 - 1896

A. S. McKennon
Comm

Geo. W. Fisher application
is denied - He is not an
intermarried Citizen of the
Cherokee Nation -

Geo. B. Curtis,
Attorney-at-Law.

Rapid City, S. D. 1896.

Ex parte #164

George H. Fisher

Demurrer

FILED SEPT. 30 1896
A. S. McKENNEY

TO THE HONORABLE DAWES COMMISSION:

Ex Parte George W. Fisher

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is in sufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E , It ~~xx~~ asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that the same shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By its Attorneys.

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of George W. Fisher for En-
rollment in the Chickasaw Na-
tion.

--: M O T I O N :--

Filed Oct 7, 1896.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation

of GEORGE W. FISHER

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and respectfully moves this Honorable Commission to strike from the docket for enrollment in the Chickasaw Nation, as citizens thereof, the application filed for GEORGE W. FISHER----------; because said application shows upon its face that, if the said parties are Indians by blood or intermarriage, they should be enrolled as Choctaws, and not as Chickasaws; and because the Chickasaw Nation is not required by law to contest the claim, if illegal, of persons claiming to be citizens of other and different tribes than the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

G. W. Fisher is an intermarried citizen of the Chickasaw Nation -

End

1896 chic 165

Ex Parte #105
C. A. Adams
et al

Exam

FILED SEP 30 26.
A. S. McKENNON
COM'R

TO THE HONORABLE DAWES COMMISSION :

Ex Parte C. N. Wilson

Comes now the Chickasaw Nation, by its Attorneys, and respectfully ~~xxxxx~~ excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E , It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that said application is insufficient in that the same shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION.

By Its Attorneys.

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of C. A. Skeen for Enrollment
in the Chickasaw Nation.

--: A N S W E R :--

FILED Oct 13 1896.
A. S. McKENNON
COM'R.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application of C. A. Skeen for Enrollment in the Chickasaw Nation.

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without Waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First--The Chickasaw Nation admits that the said Matilda Skeen was a Chickasaw Indian by blood, and entitled to enrollment in said Nation, which right was never in any manner refused by the Chickasaw Nation

Second--The said Chickasaw Nation admits that the said C. A. Skeen was lawfully married, as alleged, to the said Matilda Skeen, nee Folsom, on the date alleged in said application; it admits that the said C. L. Skeen is entitled to such rights and privileges, only, as have been guaranteed to intermarried citizens of the Chickasaw Nation by the laws, constitutions and treaties in force in the Chickasaw Nation at the date of said marriage; it denies, however, that the said C. L. Skeen is entitled to be enrolled, except as an intermarried citizen; or that he is entitled to share in the proceeds of any annuities or lands belonging to the said Chickasaw Nation; and respectfully asks, that, in his said enrollment, he be so designated, so that, if the necessity requires in the future, his rights will be defined, and no portion of the property belonging to the Chickasaw Nation will be decreed to him.

All of which is respectfully submitted.

THE CHICKASAW NATION,

By Its Attorneys.

1

REGISTRY RECEIPT.

Post Office at Ooka D. T.

Registered Letter / Parcel No. 8 Rec'd 9/5, 1896,

of C. A. Shurtz
Ooka D. T.

addressed to Palmer D. Moody Esq Clerk
Wapanucka Nation

J. LeRoy P. M.

65

In the Matter of
C. A. Skeen, applicant
for enrollment as
a member of the
Chickasaw Nation

C. A. Skeen
vs
Chickasaw Nation

No. 1182

Filed Sept 6-1898

A S McKennon
Clerk

C A Skeen
is admitted as an
Intermarried Citizen
of the Ch. N.

Rallston Bros
Attys

United States of America,
Central Judicial District of the
Indian Territory.

I, Fred E. Hartshorn, do solemnly swear that on the 5th day of September, A. D. 1896, I saw a package registered at the Post Office, at Atoka, Choctaw Nation, addressed to Gov. Palmer Mosley, Governor Chickasaw Nation, Wapanucka, Indian Territory. That the registry receipt ~~for~~ received from Post Master, J. L. C. Pate, hereto attached, is a receipt for said package, which contained true copies of the application of C. A. Bloom and of the affidavits of William L. Byrd, George Colbert and the marriage certificate in support of same.

Fred E Hartshorn

Subscribed and sworn to before me this the 5th day of September, A. D. 1896.

Jno G Reid
Notary Public for the
Central Dist Ind Ty

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the Application of C.A.Skeen,
for enrollment as a member of the Chickasaw n,
Tribe of Indians.

Your applicant,C.A.Skeen,represents to this Honorable Commission that he is entitled to be placed upon the rolls of the Chickasaw Tribe of Indians for the following reasons to-wit:

Ist.On the 19th day of December A.D.1897 he was a citizen of the United States and a white man and a resident of Pontitac County of the Chickasaw Nation,and on said day was legally married to Miss Matilda Folsom,who was a member of said Nation and was an Indian by blood being Choctaw and Chickasaw by blood,and was a resident of said County and Nation

2nd.That your applicant complied with the Laws of the said Chickasaw Nation in all respects,and was married in the manner and form required by the laws of said nation,and his marriage was properly and legally recorded by the Clerk of the above County and Nation,as is more fully shown by the affidavit of the present clerk of said County which affidavit is herewith filed and asked to be considered as proof of said marriage and an affidavit showing that said Miss Matilda Folsom was a Chickasaw Indian by blood is herewith filed and asked to be considered as proof of said fact.

Your petitioner further represents that he has not forfeited his membership to said nation,and is now entitled to have his name placed upon the roll to be prepared by your Honorable Commission

Wherefore your petitioner prays that his name be placed upon said rolls as a member,by Inter-Marriage,of the Chickasaw Tribe of Indians

C. A. Skeen

Subscribed and sworn to before me this the 19th day of Aug.1898

[illegible] Notary Public for the
District of the Ind.Ter.

Before the Commission for the five civilized Tribe.

In the matter of the application of C.A.Skeen,
for enrollment as a member of the Chickasaw
Tribe of Indians.

On this the 19th day of August A.D.1896 personally appeared before me the undersigned authority, Wm L Byrd who having been by me first duly sworn according to law states on his oath

" I have been personally acquainted with Mrs.Matilda Skeen,nee Folson,and knew her Father and mother.I have known her Fathhr and mother for about 40 years and have known Mrs.Skeen,nee Folson,for 30 years.Her Father was Sampson Folsom and he was a Choctaw and Chickasaw Indian and was a recognized citizen of the ~~Choctaw~~ Chickasaw Nation.Her mother was,before her marriage with Folsom a Miss Kittie Colbert and was a Chickasaw Indian by blood and was a regularly recognized member of the Chickasaw Nation Mrs Matilda Skeen,nee Folsom,and C.A.Skeen were legally married about 1877 and are now husband and wife,and C.A.Skeen is a recognized member of the Chickasaw Nation"

Wm L Byrd

Subscribed and sworn to before me this the 19th day of August,1896

H Chakmore

Notary Public for the
Pickens district of the Indian Territory.

Befoe the Commission for the Five Civilized Tribes.

In the Matter of the application of C.A.Skeen,
for enrollment as a member of the Chickasaw
Tribe of Indians.

Be it remembered that on this the 19 day of August 1896 personal ly appeared before me the undersigned authority, George Colbert who having been by me first duly sworn according to law states on his oath"I

" I am clerk of Pontitac County of the Chickasaw Nation and have charge of the records containing the record of matriages of White meni to Chickasaw women and from said records I find that on page [illegible] of the books kept for said purpose it appears that on the 19th day of Dec. 1877 C.A.Skeen was married to Matilda Folsom,and said record is in due form and kept in the usual manner of keeping suck records,a certified copy of said record is hereto attatched and marked exhibit "A" and made a part of this affidavit"

Geo Colbert

Subscribed and sworn to before me this the 19th day of August 1896

J.C.Chapman
Notary Public for the
Third District of the Indian Territory.

A. This is to certify that the rights of matrimony were solemnized by me between C. A. Skeen a United States citizen and Miss M. F. Folsom, a native of the Chickasaw Nation the parties having obtained license from the county & Probate Judge of Pontotoc County C. N.

This Dec 19th 1877

Elijah Imroot
Ordained Minister
M. E. Church South.

Recorded by me this
January 4th, 1878
A. Colbert
clk of the 2 ist. court
Pontotoc co. C. N.

United States of America, Central district
of the Indian Territory

G. M Powers having been by me first duly sworn states on his oath that on the 20th day of August 1896 he delivered to Hon.P.S.Mosley, Govenor of the Chickasaw Nation at Home in the Chick asaw Nation a true copy of the Applicabion of C.A.Skeen which is hereto attatched together with a true copy of the affidavit of the Clerk of Pontitac County and the affidavit of Wm L. Byrd both of which are hereto attatched.

Affiant states that he is over 21 years of age and is not interested in this application and is not related to the applicant

G. M. Powers.

Subscribed and sworn to before me this the 20th day of August 1896

E. J. Ball

Notary Public for the Central district of the Indian Territory.

End

1896 Chic 166

No.....

Before the Honorable Commission to the Five Civilized Tribes.

In the Matter of the Application of Harvey L. Webb et al for Enrollment in the Chickasaw Nation.

--: A N S W E R :--

Filed Oct. 29, 1896.
H. M. Jacoway
Dep.

APPLICATION FOR CITIZENSHIP.

TO THE HONORABLE NATIONAL COUNCIL OF Cherokee NATION, IND. TER.:

GENTLEMEN: The undersigned, your petitioner, this day makes this Means Application for Citizenship in the Cherokee Nation, in the Indian Territory, in accordance with the Constitution and laws of said Nation, and repectfully makes the following statement of the grounds of this Means Application, to-wit:

That Harvey Webb is the Deendant and of one William Webb who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawfully grounds for this Means Application for Cherokee Citizenship by blood, and respectfully awaits the time when Means Application shall be truly heard and tried. Respectful submitted.

Age 33 year, Postoffice Okmanon

Family with their relationship attached is as follows:

NO.	NAME.	SEX.	AGE.	RELATIONSHIP.
	Harvey Webb	M	33	Husband
	Alice Webb	F	27	Wife
	Ether Webb		9	
	Foley Webb		4	Daughters
	Audie Webb		2	

In witness of which Application, I hereunto set my hand, on this, the 30 day of Sept 1899.

H F Webb

Su'scribed and sworn to before me this 30 day of Sept 1899.

~~J. P. BYERS, Attorney at Law, Fort Smith, Arkansas.~~

C B Mayfield J. P.

Filed by D. A. Sims, Greenwood Ark.

5

The State of Mississippi - Lee County.

I. Norbin Jones. Clerk of the Chancery Court in and for said County and State. do hereby certify that C. B. Mayfield whose genuine signature appears signed to the foregoing affidavit is now and was at the time of signing the same a duly selected. qualified Commissioned and acting Justice of the peace in and for said County and State. and as such authorized to administer oath. and that all his official acts as such are entitled to full faith and credit.

Given under my hand & seal of office this 30th September 1893

Norbin Jones. Clk

By A D Porter. D C.

AFFIDAVIT OF WITNESS

STATE OF Mississippi }
COUNTY OF Lee } ss.

Before Me, the undersigned, a ~~Notary Public~~ Justice of the Peace, in and for the county and state aforesaid personally appeared Ed. G. Shannon who after being by me, duly sworn states that he is 72 years of age, and a citizen of, Lee County and State of Miss and that he is personally acquainted with Harvy. Webb of Lee County Who is an applicant for citizenship in the Chicasaw Nation, I. T., and affiant further states that the said Harvy. Webb is the identical person he represents Him self to be in His application for citizenship in said Nation and that the said Harvey. Webb is of Part Chickasaw Indian blood

Affiant further states that he has known the said Harvey Webb for the past 33 years and knows that he is and has been recognized and treated by His neighbors, acquaintances and the public generally, as a person having Chicasaw Indian blood and that the complexion and physical appearance of the said Harvey Webb indicate that the said Harvey Webb is of Indian blood. That from the above facts and circumstances and from statements made to me by the said Harvey Webb Affiant states he has every reason to believe and does believe that the said Harvey Webb is of Chicasaw Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Harvey Webb to citizenship in the Chicasaw Nation, I.T.

E. G. Shannon

Subscribed and sworn to before me this 30 day of Sept A. D. 1893 and I further certify that I am well acquainted with the said E G Shannon and know him to be a person of credibility and of truth and veracity.

C. B. Mayfield J. P.
Notary Public

My commission expires on the first day of January 1896

~~Joseph P. Byers, Attorney at Law.~~

J. H. CAIN, ARTIST PRINTER, FT. SMITH, ARK.

The State of Mississippi - Lee County

I. Norbin Jones, Clerk of the Chancery Court in and for said County & State do hereby certify, that L. B. Mayfield whose genuine signature appears signed to the foregoing affidavit is now, and was at the time of signing the same duly elected, qualified, Commissioned and acting Justice of the Peace in and for said County and State, and as such authorized to administer oaths and that all his official acts as such are entitled to full faith and credit

Given under my hand & seal of office this 30th day of Sept 1893.

Norbin Jones Clk

By R. D Porter Clk

Filed Oct 2 1893

Wm. Wise Recorder

Check & cancel & stamp

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Harvey L. Woodward

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and respectfully shows to this Honorable Commission that the application filed herein is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights, privileges and immunities as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

Name applicant's name

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation

of Harvey L. Webb et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and have at all times been, citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the petition of the applicants herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached and asks that they be considered as a part of this answer.

W H E R E F O R E , It prays that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the application for Enrollment in the Chickasaw Nation

of Harvey Webb et al

Indian Territory,)
) ss.
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared C. A. Burris, who, being first duly sworn, on oath deposes and says: My name is C. A. Burris; I am 67 years of age, and am a Chickasaw Indian by blood; I came to this country with Chickasaw Tribe of Indians from the state of Mississippi, in the year 1837, and have lived here ever since; I have been a member of the House of Representatives of the Legislature of the Chickasaw Nation; also a Senator, District Judge, Supreme Judge, and was this year Delegate to Washington in the interest of the Chickasaw Nation; I never knew of a man by the Name of "William Webb", through whom the applicants claim, or of any such man being a Chickasaw by blood or otherwise; I never heard of him either in this country or in Mississippi; and think that ~~xk~~ if there had ever been a person by that name who was a Chickasaw, I would certainly have heard of him.

C. A Burris

Subscribed and sworn to before me on this the 24th day of October, A. D., 1896.

[illegible]
Notary Public.

End

1896 Choc 167

REGISTRY RECEIPT.

Post Office at Center

Registered Letter / Parcel No. 89 Rec'd Sept 5 1896.

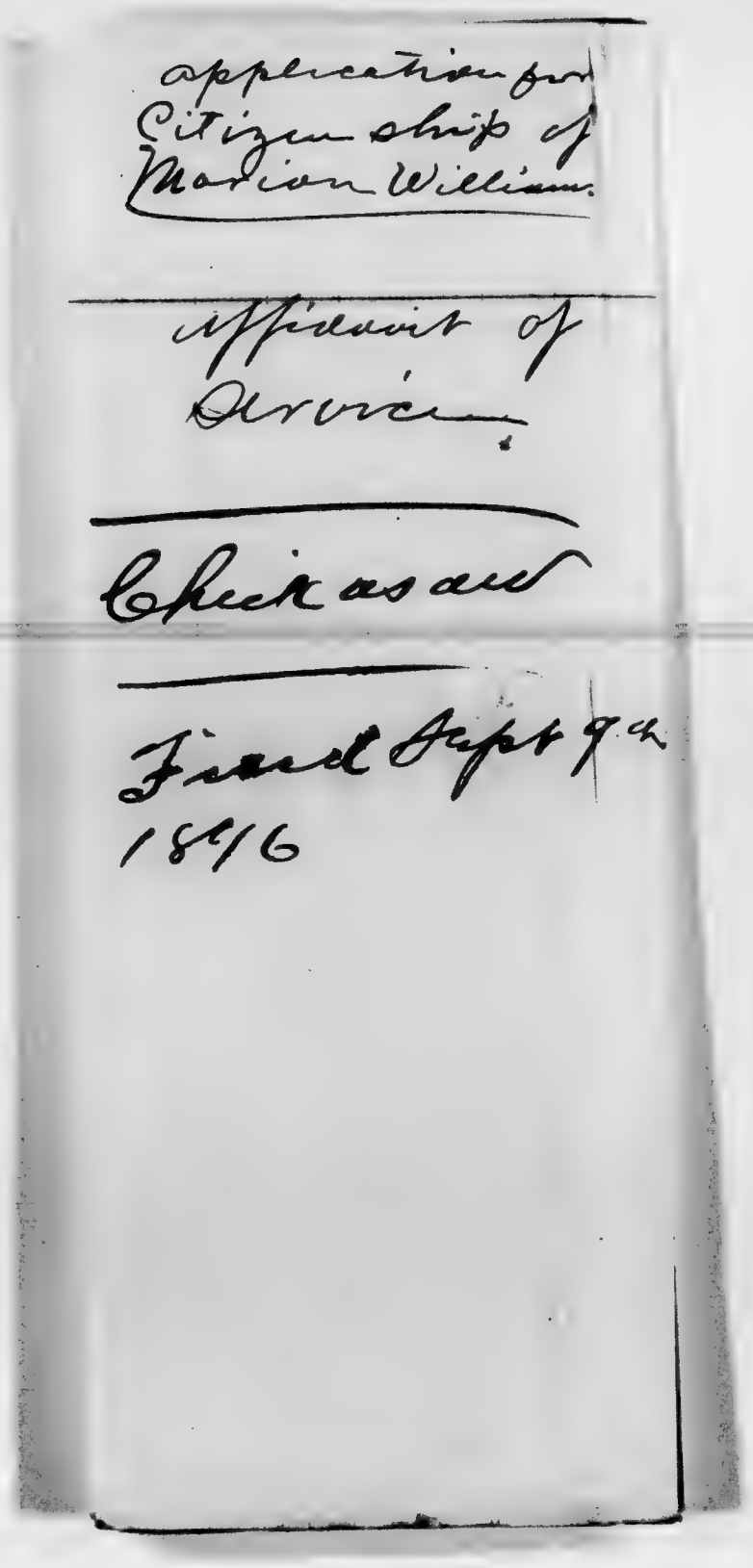
of J M King

Center Ind

addressed to Gabriel Chickasaw

Nation

D.N. Long P.M.


application for
Citizen ship of
Marion Williams.

Affidavit of
Service

Check as and

Issued Sept 9th
1896

Indian Territory }
Southern District }

Before me a duly commissioned Notary Public in & for the above written Territory & District, on this 5th day of Sept. 1846 appeared D. McKinney & after being duly sworn on his oath states, That he has this day mailed & the Governor of the Chickasaw Nation at Tishomingo by registered letter the receipt for which is here & attached a true & correct copy of all papers in the case of Claim of Marion Williams for citizenship which he will send to your Hon. Body to be filed- consisting of the following papers- Two petitions, one which was made & sent to the Committee of claims in Chickasaw Nation, 1845 & one which applicant makes to your Body and affidavits of Allen Ross, Wm Patsy Hall and W.S. Cayce

D. McKinney

Sworn to & subscribed before me this 5 day of Sept. 1846

Amy T. Ledbetter
Notary Public

Filed Sept 9th 1896

Chickasaw

Office No 12

Application for
Citizenship

Marion Williams
applicant

Filed by
J Mering Carter & Co.
attys for applicant.

Application for Citizenship

United States of America, Indian Territory-
The Hon. Henry L. Dawes Chairman
Dawes Commission, Vinita I.T.

Your petitioner, the undersigned, being
duly sworn according to law on his
oath respectfully states:

That his name is Marion Williams
age is 37 years, post office address
is McAlester I.T. and that he is entitled
by blood to Citizenship in the Indian
Territory, for the following reasons to wit:

That he is a lawful son of Eliza
and Henry Williams, that he claims
his citizenship through his mother
nee Eliza Gipson. That Eliza
Williams nee Eliza Gipson was a legal
daughter of Becky Gipson, and
Jim Gipson, that said Jim Gipson was
a Choctaw citizen & Becky Gipson his wife
was a Chickasaw citizen and your petitioner
claims had some Choctaw blood.

That your petitioner has been recognized
by the Chickasaws as a member of
their Tribe or Nation and for the last 7
years has been exercising all the
rights of sufferage in the Chickasaw
Nation for the last seven years.

That he was born in the Choctaw Nation on

of his family as a member of the Chickasaw Tribe of Indians in the Indian Territory.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in said Chickasaw Nation, and prays that his claim may be investigated by your honorable body and that he be adjudged to be a citizen of said Chickasaw Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties made with said Nation of Indians

Witness my hand this 5th day of Sept. 1896 Miriam Williams

Witness

Subscribed & sworn to before me this the 5th day of Sept. 1896

J. M. Kiley
Notary Public

Application of
Marion Williams for
Citizenship

Chickasaw

Filed Sept 9th 1896

(Original)

How Chairman and associate Judges
of the Court of Claims for Citizenship
of the Chickasaw Nation

The undersigned
petitioner would most respectfully make
this his application for Citizenship in
the Chickasaw Nation according to the
rules Customs and laws of said Nation
and beg leave to make the following state-
-ment &. To wit-,

That your petitioner is a lawful decen-
-dant of Eliza Gipson, daughter of
Betty Gipson, a Choctaw and Chickasaw
woman, who married Henry Williams
thereby getting the name of Williams
Their issue was a son. Your petitioner.

Your petitioner would further rep.
resent that he is a member of both the
Chickasaw and Choctaw Tribe of Indians
by blood, and justly entitled to all the rights
and privileges as such. and now he will
that you give his application a speedy
fair and impartial hearing that he may
know his status among you for which
he will ever in duty pray

Witness
Mrs Patsey Hall
W S Boyce

Marion Williams
By his Attorney
R L Boyd

Post-Script:

The above petitioner further states in addition to the above, that he is a native of the Choctaw nation having been born eight miles above Tuskahoma on the Kiamisha River, in the Choctaw Nation, and bases his claim to full citizenship, and all the rights and privilege of a citizen of the Choctaw and Chickasaw nations, by reason of the blood of both nations and being born in the Choctaw Nation as above stated and residing in the same until the age of Eleven years returning to the Nation in the year 1888 Residing here ever since and exercising the right of suffrage in the Chickasaw Nation up to the present time. I never voted or claimed citizenship in the U.S. nor forfeited my allegiance to the Choctaw and Chickasaw nations.

Mariann Williams

Subscribed and Sworn to Before
Me this 12 Day August 1895

W. H. Alloway

Application for Citizenship

Marion Williams

Affidavit of

Miss Patsy Hall

Chickasaw

Filed Sept 9th 1896

Original

Southern Judicial Division
Indian Territory

Personally appeared before me a Notary Public Southern Judicial Division Indian Territory Mo. Patsy Hall who being duly sworn according to law says I knew Becky Gipson the Mother of Eliza Gipson. Becky Gipson was of both Chactaw and Chickasaw Blood. Eliza Gipson married Henry Williams a Citizen of the United States who was the Father of Marion Williams. I know that Marion Williams is of both Chactaw and Chickasaw blood by his Mothers side Eliza Williams. Nel Eliza Gipson.

Witness
R. F. Nichols

Patsy her Hall
mark

Sworn to and subscribed before me this the 8th day of August 1895.

G. W. Dacus
Notary Public

Not read this
D Com

Application for
Citizenship
Marion Williams

Affidavit of
W. S. Cayce

Chickasaw

Filed Sept 9th
1896

(Original)

Southern Judicial Division
Indian Territory

Personally appeared
before me a Notary Public Southern Judicial
Division Indian Territory Williams S. Cayce
who after being duly sworn according to law
says I knew Becky Gipson the mother of Eliza
Gipson. Becky Gipson was of both Choctaw
and Chickasaw blood. Eliza Gipson married
Henry Williams a citizen of the United States
who was the father of Marion Williams.
I know that Marion Williams is of both
Choctaw and Chickasaw blood by his mother
side Eliza Williams. Nee Eliza Gipson.

Sworn to and subscribed before me
this the 8 day of August 1895
W. S. C.

Not receivable under the last
D. L.

No 2344 (6)

Citizenship of
Marion Williams

affidavit

[redacted]

Chickasaw

Filed Sept 9th
1896

~~Choctaw~~ Indian

Rejected

Original

Indian Territory
Southern District }

On this 5th day of Sept 1896 before me a duly commissioned Notary Public in & for the Southern Dist Ind. Ter. appeared Allen Bros. and after being duly sworn states;

That his age is 23 years that his post office address is Caddo I.T. and that he is personally acquainted with Marion Williams that he has known him for 4 years and that he has been recognized as an Indian by any body both United States Citizens & Indians that I have heard speak of him. From his appearance one would judge that he had Indian blood in him

H.A. Allen

Subscribed & sworn to before me this 5th day of Sept. 1896

J.J. Mering
Notary Public

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Marion Williams et al for
Enrollment in the Chickasaw
Nation.

--: A N S W E R :--

Dec 31, 1896.

H W Jamison
Atty.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and have at all times been citizens of the United States; and that none of the applicants herein have any evidence which shows to this Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the petition of the applicants herein is entirely without foundation in proof or facts. Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached, and asks that they be considered as a part of this answer

W H E R E F O R E , It prays that the application herein be dismissed, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application for Enrollment in the Chickasaw Nation of

-----o-----

Indian Territory,)
) ss. --: Affidavit of B. F. Kemp :--
Chickasaw Nation.)

Before me, the under signed authority, on this day personally appeared B. F. Kemp, who, being duly sworn, on oath, deposes and says: My name is B. F. Kemp; I am a Chickasaw Indian by blood, and am 60 years of age; I came to this country from the state of Alabama in the year of 1837; I have been district Judge, County Judge, Senator, Legislator, and have held other important offices under the Chickasaw Government; I am familiar with the Chickasaws by blood and intermarriage; I was raised in Pontotoc County, Chickasaw Nation, about six or seven miles from Island Bayou, and lived there from the year 1849 up to about ten years ago; I am a son of Jackson Kemp, Sr., I know Isaac Williams, J. S. Wolf, known as "Squire" Wolf; Sam Perry, William Simpson, also known as "Sim Casey"; Fred Humphreys, William Fisher, John Kemp, Patsy Hall: all of whom are negroes, with the exception of Sim Casey and Patsy Hall; their general reputation for truth and veracity is notoriously bad; I also know William Arcumby, who is a Chickasaw Indian; from my acquaintance with all of them having dealt with nearly all of them, I believe, through a matter of friendship or a small sum of money, they could be induced to swear to anything.

B F Kemp

Subscribed and sworn to before me on this the 26th day of October, A. D., 1896.

[illegible]
Notary Public.

In the Matter of the Application for Enrollment in the Chickasaw Nation of _____

---o---

Indian Territory,
Chickasaw Nation. } ss. --: Affidavit of Peter Maytubby :--

On this day personally appeared before me, the undersigned authority, Peter Maytubby, who, being first duly sworn, on oath deposed and says: My name is Peter Maytubby; I am a Chickasaw Indian by blood, and am 89 years of age; I came to the Chickasaw Nation from Mississippi with the Chickasaw Indians in 1837; I never knew or heard of John Wesley Jones or any of these applicants ~~as~~ being Chicknsaws; I have lived with the Chickasaw Indians all of my life; I am well acquainted with W. S. Casey, who has made an affidavit in this application, and he is sometimes known as "William Simpson", and his general reputation for truth and veracity is bad; I never heard of a House Name in the Chickasaw Nation, or anywhere else, of "Dry Prairie"; the Indian name given for this, given by William Iokombe, is Choctaw, and if any such House Name is used, it was done by the Choctaw Tribe of Indians; I have known William Iokombe ~~Simpson~~ his all of my life, he is much younger than I am, and I think he was born and raised in the Choctaw Nation, and is a full-blood Chickasaw; and I am satisfied he was imposed upon, and did not understand who he was testifying about; for the past twenty years I have been taking the census of the Chickasaws residing in the Choctaw Nation; I was raised near Goodland, Indian Territory, where the ~~applicant~~ applicants' witness, Benjamin Colbert, states that he lives, and I know of no such Chickasaw Indian living there, and never heard of him, and I certainly would know of him, for the reasons given above; I don't know and have never heard of the affiant Lucy Bird.

Peter Maytubby

Subscribed and sworn to before me on this the 22nd day of October, 1896.

G. H. Adams
Notary Public.

In the Matter of the Application of Marion Williams et al for Enrollment in the Chickasaw Nation.

-----o-----

Indian Territory,)
) ss. Affidavit of Peter Maytubby and Nelson Chigley
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared Peter Maytubby and Nelson Chigley, who, being duly sworn, depose and say: Peter ~~Maytubby~~ Maytubby says that he is 59 years of age, and is a Chickasaw Indian by blood; that he came to the Chickasaw Nation with the Chickasaw Tribe of Indians from Mississippi in the year 1837; that he has been Census Enumerator of the Chickasaws residing in the Choctaw Nation for the last twenty years; and is familiar with all the Chickasaws by blood or otherwise, and especially with those residing in the Choctaw Nation. Nelson Chigley says that he is 62 years of age, and is a Chickasaw Indian by blood; that he came from Mississippi with the Chickasaw Tribe of Indians in the year 1837; that he has been Governor of the Chickasaw Nation; that he familiar with the Chickasaws by blood and other wise; that we are both acquainted with Jim Gibson and his wife, through whom the applicants claim; that they are recognized as negroes, and if they have any Indian blood in them at all, it is Choctaw; no such persons as the applicants, or the Gibsons, have ever been known or recognized as ~~Chickasaws~~ Chickasaws, and have never made application for enrollment as such.

Peter Maytubby
Nelson his Chigley
Mark

Subscribed and sworn to before me on this the 23rd day of October, A. D., 1896.

W M Hood,
Notary Public.

End

1896 Chic 168

27

No. 168

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Richard C Higgs Et al

VS.

Chickasaw Nation.

Received and filed this day of

189

Secretary.

GAINESVILLE JOB PRINT FORT SMITH

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Richard C. Riggs et al vs. Chickasaw Nation, as follows:

Application & Evidence	
Answer & Evidence	
Brief in behalf of applicant	
Certified Copy entries and judgment	

WITNESS my hand and official seal at Ardmore

this the 20 day of Feby 1897

Jos. W. Phillips

Clerk

#27 (1687 1707)

In U.S. Court for Indian Territory, Southern Judicial Division at Ardmore,

Richard C. Wiggs for himself and Mary Edna Wiggs

Plaintiffs

vs.

Chickasaw Nation

Defendant

Order directing Dawes Commission to furnish certified Papers for Appeal.

Filed ... day of ... 1902

... Clerk

By ... Deputy

Order directing Dawes Commission to furnish certified Papers for Appeal.

Filed in the office of the Clerk of the United States Court in the Indian Territory, Southern District, at Ardmore, ... day of ... 1902

... Clerk

By ... Deputy

IN THE UNITED STATED COURT FOR THE INDIAN TERRITORY, SOUTHERN JUDICIAL DIVISION, AT ARDMORE.

RICHARD C. WIGGS, FOR BENEFIT OF JOSIE WIGGS & MARY EDNA WIGGS,

VS.

CHICKASAW NATION.

APPLICATION FOR CITIZENSHIP.

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES, COMMONLY CALLED THE DAWES COMMISSION:-

WHEREAS the plaintiff in the above and foregoing cause did, on the____ day of_____, 1896, make application to the Hon. C. B.Kilgore, Judge of the Court aforesaid, for an appeal from the judgment and order of the said Dawes Commission in the above entitled cause, and which application was on said date duly granted by said Judge and said appeal allowed, and an order was on said date issued by the Clerk of this Court directed to said Dawes Commission requesting and directing said Commission to forward to this Court all the original papers in said cause, together with a certified copy of its orders therein, and whereas said order has not been returned into this Court, nor has the said Commission forwarded to this Court the papers and records aforesaid;

THESE ARE THEREFORE to request and direct that your Honorable Commission do forward at once to the Clerk of this Court all the original papers in said cause, together with certified copies of all the entries and decrees made therein by the said Commission.

WITNESS THE HONORABLE C.B.KILGORE, JUDGE OF SAID COURT, THIS 12 DAY OF FEBRUARY, A. D. 1897.

J. W. Phillips

End

1896 Chic 169

missing 3/5/41

1896 Chic 169

End

2 7-1705
~~68~~ 5

Richard C. Wiggs

vs

Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

Richard C. Riggs

No. 170 *vs.*

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of Richard C. Riggs to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 4 day of ~~December~~ Jan, 1897.

Josw. Phillips *Clerk.*

#27

No. 170 D

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Richard C. Wiggs

VS.

Chickasaw Nation.

Received and filed this day of

189

Secretary.

SENATOR JOB PRINT FORT SMITH

FEB 4 1897

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Richard C. Riggs vs. Cherokee Nation, as follows:

Application & Evidence	
Answer " "	
Certified Copy entries of judgment	

WITNESS my hand and official seal at Atoka

this the 5 day of Feby 1897

Jos. W. Phillips

End

1896 Chic 171

To the Honorable Henry L. Dawes
and other Composing
the Commission to the Five Civilized Tribes
Your Petitioner John C Decker
would State and Show from the
proof submitted to the Commission
that he is a Chickasaw Indian by decent
and by blood. was born in Panola
County Tex in 1853. My fathers name
was John Decker, my mothers name was
Susan My Grandfathers Name was
Sarah Ivey who was about a full blood
Chickasaw Indian. my post office
is emmet Ind Ter. he avers the facts
can be established by proof to the satisfaction
of the Commission under such rules
and regulations as it may prescribe and
he further avers that these facts being proved
he is entitled to be adjudged under the
laws of such Nation and under the
laws of the Congress of the United States
and the treaties of such Nation with
the United States, a citizen of such
Nation with all the rights privileges
and protection of citizenship in such
Nation wherefore he herewith respectfully
submits to the consideration of the
Honorable Commission said proof and
on the hearing to be adjudged entitled to such
citizenship and his name be placed on the proper
roll of such Nation. John C. Decker

Now on this 19th day of August 1896, ~~before me~~ personally appeared before me a Notary Public in and for the aforesaid District and Territory, C. John Decker who being duly sworn, deposed upon his oath, that the facts set forth in the foregoing application are correct and true. Subscribed and sworn to before me this 19th day of August 1896

J. E. Grunstead
Notary Public

Application for Citizenship.

To the Honorable Kenny L Laws and others
Composing the Commission to the
Five Civilized Tribes

Gentlemen your petitioner John C Decker for and in behalf of himself and family this day makes this their Application to you for the purpose of being placed on the revised roll of the Chickasaw Indians and those entitled to shares in the allotments of land and the distributions of funds in the Chickasaw Nation by virtue of their Chickasaw blood and I here with submit the within and attached affidavits in support of our claim and respectfully await the time when our Application shall be heard and tried.

Respectfully John C Decker

Enrollment of Family with relationship

	Age	
John C Decker	42	Applicant
Venora D Decker	32	wife
Leora Decker	16	daughter
Elvy Decker	13	daughter
George D Decker	11	son
Robt Decker	9	son
Delia M Decker	7	daughter
Pearl Decker	4	daughter
Luler Decker	2	daughter

Given under my hand and seal this 18 day of Aug 1896. John C Decker

United States of America
Indian Territory
Southern District

Affidavit of Daniel Underwood in the Citizen Ship Claim of John C. Decker who being duly sworn says:

My name is Daniel Underwood, My Postoffice is Tuley. I.T. I am a Full-blood Chickasaw. I was born in Mississippi. I knew old man Isaiah Ivy in Miss. He was an Indian but I am not sure he was a Chickasaw. Isaiah Ivy's Children whom I knew were half-breed Indians. This Isaiah Ivy was the same who the claimant in this cause says was his grandfather.

J. E. Grinstead (witness)

Daniel Underwood +

Now on this 19th day of Aug 1896 before me a notary Public in and for the above mentioned District personally appeared Daniel Underwood, who being sworn stated upon his oath that the facts therein mentioned & set forth are true and correct.

Sworn to and subscribed before me the day & year last above mentioned.

J. E. Grinstead
Notary Public

United States of America
Indian Territory
Southern District } ss

Affidavit of Elijah Colbert in the citizen Ship claim of John C. Decker, who being duly sworn, says

My name is Elijah Colbert. my post office is Wiley I.T. I was born in Miss and am now 76 years of age. I came to the Chickasaw Nation in 1855. When a boy in Mississippi I knew an old Indian by the name of Isaiah Levy. He was a full blood ~~Chickasaw~~ and claimed to be a Chickasaw. I also knew Susan Levy who was Isaiah Levy's Daughter, when she was a girl in Miss. and know that she married John Decker and was the mother of the this claimant

I also know that said Susan Decker nee Levy was a half breed Indian.

I further know that John C Decker bears a good reputation for truth & veracity in the community in which he now lives

J E Gunstead
witness

Elijah Colbert +

Now on this 19th day of Aug 1896 before me the undersigned personally appeand Elijah Colbert who being duly sworn upon his oath stated that fact set forth in the foregoing affidavit are true and correct. Sworn to and subscribed this 19th day of August 1896

J E Gunstead
Notary P

United States of America
Indian Territory
Southern District

Affidavit of Rebecca Barnett in the citizenship claim of John C. Decker. who being duly sworn says

My name is Rebecca Barnett. P. O. Post Office is Canit D. T. I have known the applicant in this cause, John. C. Decker, since he was a boy. and know that he is a son of Mrs John Decker. Nee Levy. who was a daughter of Isaac Levy & that said Isaac Levy was a full Blood Chickasaw.

Rebecca Barnett

Now on this 19th day of August 1896 before Me. a notary Public in and for the above mentioned District personally appeared Rebecca Barnett who being duly sworn upon her oath ~~S~~ stated that the facts set forth in the foregoing affidavit are correct and true

Sworn to and Subscribed before me This 19th day of August 1896

J. E. Grimstead
N. P.

Received of John C. Ikerd
a Copy of an application
for citizenship of the United
States Native.

Ins Co. 21st 1896.

S. S. Mosely, Gov.

C. M.

Southern District
Ind Ter

This is to certify that I did receive and deliver to Gov. D. H. Johnston my application for Citizenship in the Chickasaw Nation Ind. T. the 21 day of Aug 1896

John C Decker

Sworn and subscribed to before me a Notary Public for the Southern District I. T. This 22 day of Aug 1896

J. T Gardner
N. P.

My Official Term expire 24 day of Jan A.D. 1900

No. 266

Application
of
John. C. Decker

Chickasaw Nation

Sam. L. Castleberry Atty

Filed Aug. 29-1896.
A. S. McKennon
Comr.

Applications Denied —

are Reported
Sam. L. Castleberry Atty.
Tishomingo I. T.

United States of America
Indian Territory
Southern District

I, Enora Wells in the citizenship claim of John C. Decker who being duly sworn says:

My name is Enora Wells. My Post-office is Ennis Tx. — am 62 years old and was born in Mississippi. I know know John C. Decker. also know his father John Decker jr. & know that he married Susan Dry. and that said Susan Dry was the daughter of Isaiah Dry whom I knew in Miss. I further know that said Isaiah Dry was an Indian and that he always claimed to be a Chickasaw. I also know that his daughter Susan Dry who was the mother of this claimant and her children show Indian blood very much. I also know that the Dry family never took their land from the government in Miss. but came west with the Chickasaws and stopped in Panola Co Tx where this applicant was born. I have known said applicant and he was a boy. & know that he bears a good reputation for truth and veracity in the community in which he

JE Grunstead
witness

Enora. Wells

United States of America
Indian Territory } ss
Southern Dist

Now on this 20th day of Aug. 1896 before me the undersigned a Notary Public in and for the aforesaid District personally appeared Emma Wells who being duly sworn says. The facts set forth in the foregoing affidavit are true & correct

Sworn to and Subscribed before me This 20 day of August 1896

B E Grimstead.
Notary Public

No. 266
Application
of
John. L. Decker
vs
Choctaw Nation
Jno. L. Castleberry Atty

Filed Aug. 29-1896.
R. M. Harrington
Court
Applications Denied

Rec'd
Jno. L. Castleberry Atty
Citizenship Dept.

No.....

Before the Honorable Commission
to the Five Civilized Tribes.
In the Matter of the Application
of John C. Decker et al for
Enrollment in the Chickasaw
Nation.

--: A N S W E R :--

Filed Oct. 29, 1896.
H. M. Jacoway
Clerk

TO THE HONORABLE DAWES COMMISSION:

Ex Parte John C. Sadler et al

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation, says that the application is not sufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges of a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of John C. Decker et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and have at all times been, citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the petition of the applicants herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached and asks that they be considered as a part of this answer.

W H E R E F O R E , It prays that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application for Enrollment in the Chickasaw Nation of John C. Decker et al.

---o---

Indian Territory,)
) ss. Affidavit of B. F. Kemp.
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared B. F. Kemp, who, being duly sworn, on oath, deposes and says: My name is B. F. Kemp; I am a Chickasaw Indian by blood, and am 63 years of age; I came to this country from the state of Alabama in the year of 1837; I have been District, County Judge, Senator, Legislator, and have held other important offices under the Chickasaw Government; I am familiar with the Chickasaws by blood and intermarriage; I have never known or heard of any of the applicants herein, or of their claiming to be Chickasaws by blood or intermarriage; I never knew or heard of Susan Ivey or Isaac Ivey; I am satisfied if there were ever any such persons who were Chickasaws by blood or full blood Chickasaws, I would have known of them.

B F Kemp

Subscribed and sworn to before me on this the 26th day of October, A. D., 1896.

[illegible]

Notary Public.

End

1896 chic 172

#39

No. 172 D

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

James Daniel

VS.

Chickasaw Nation.

Received and filed this day of

189.

Secretary.

FILED
FEB 3 1897

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

James Daniel vs. Chickasaw Nation, as follows:

Application & Evidence	
Answer " "	
Certified Copies &	
entries & Judgments	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feb 1897

Jos. C. Phillips
Clerk

#39
#172 D
James Daniels
vs
Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

James Daniels

No. 39 vs.

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of James Daniels to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 4 day of ~~December~~ Jan., 1897.

Josiah Phillips *Clerk.*

TO THE HONORABLE DAWES COMMISSION:

Ex Parte Julia's enrollment

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E, It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

172

Ex parte

James Daniel

D Emmer

End

1

1896 chic 173

[illegible] FIVE

[illegible] IN THE [illegible] TODAY:

[illegible] petition of, Mrs Almeda E. Vineyard [illegible] respectfully states that [illegible] is [illegible] Chickasaw Indian by blood and asks to be enrolled as [illegible] of the Chickasaw Nation of Indians in the Indian Territory. That [illegible] receives her said Indian blood from the McLish family of Chickasaw Indians; that she is the daughter of Joseph Chronister who was the son of Tinzy Chronister; that Tinzy Chronister's mother was Garrison that the said Mrs Garrison was a full sister of John McLish (who was called Jack) and "old man" McLish, who were Chickasaw Indians by blood

[illegible] Chickasaw [illegible] of said Chickasaw Nation of Indians, and [illegible] tion of Indians.

[illegible] 36 years. [illegible] Wynnewood Indian Territory. [illegible] sons:

[illegible] husband, Berry Vineyard [illegible] Male
Benjamin Monroe [illegible] 7 years
Mary Almeda Vineyard female 4 years
Cynthia Caroline " " one

[illegible] 3 September
Almeda E Vineyard

United States of America
Indian Territory
Central District

Personally [illegible] Almeda Vineyard [illegible] petitioner in [illegible] petition, who being by me first duly sworn, upon oath [illegible] he is the petitioner in the above [illegible] petition. That he has [illegible] the said petition, and that the facts [illegible] true, as he verily believes.

Subscribed [illegible] sworn to [illegible] this [illegible] 3 day of Sept [illegible] 16.

[illegible]
Notary Public

Affidavit of Catharine Franklin.

In the application of Almeda E. Vineyard for Citizenship in the Chickasaw Nation, before the Dawes Commission.

United Staes of America
Indiant Territory

Southern District

Before me the undersigned authority on this the 28 day of August 1896 personally appeared Catharine Franklin, who after being duly sworn to tell the truth the whole truth and nothing but the truth, deposes and says:- My name is Catharine Franklin, my age is about seventysix years, my residence about three miles north of Wynnewood, Indian Territory. I was born in Pontotoc County Miss. and came from there to the Indian Territory with the Choctaw Indians, I was owned and brought from Mississippi by Jackson Kemp a Choctaw Indian and was owned by until the time of my freedom, I lived with the said Jackson Kemp at Doanville, I.T.

Catharine X Franklin

Subscribed and sworn to before me this the 28th day of August, 189 .

Notary Public, Southern District, I.T.

Indian Territory }
Chickasaw Nation } ss
3d Judicial Division }

We Harriet J Burnett and Isaac Holsom being duly sworn do say that Pittman Colbert's first wifes name was Sally, that she, Sally, was a Cousin by blood to Jack McClish. The father of Harriet J Burnett was Colonel Sampson Holsom, who married a daughter of Pittman Colbert whose name was Catherine Colbert, and that we styled make Chickasaw me and Jim Chronister Kin by blood. also A. E. Vineyard a neice of Jim Chronister

Witness our hands this 28th day of August 1894

Isaac Holsom.
Harriett J. Burnett

Subscribed and sworn to before me this 28th day of August 1894

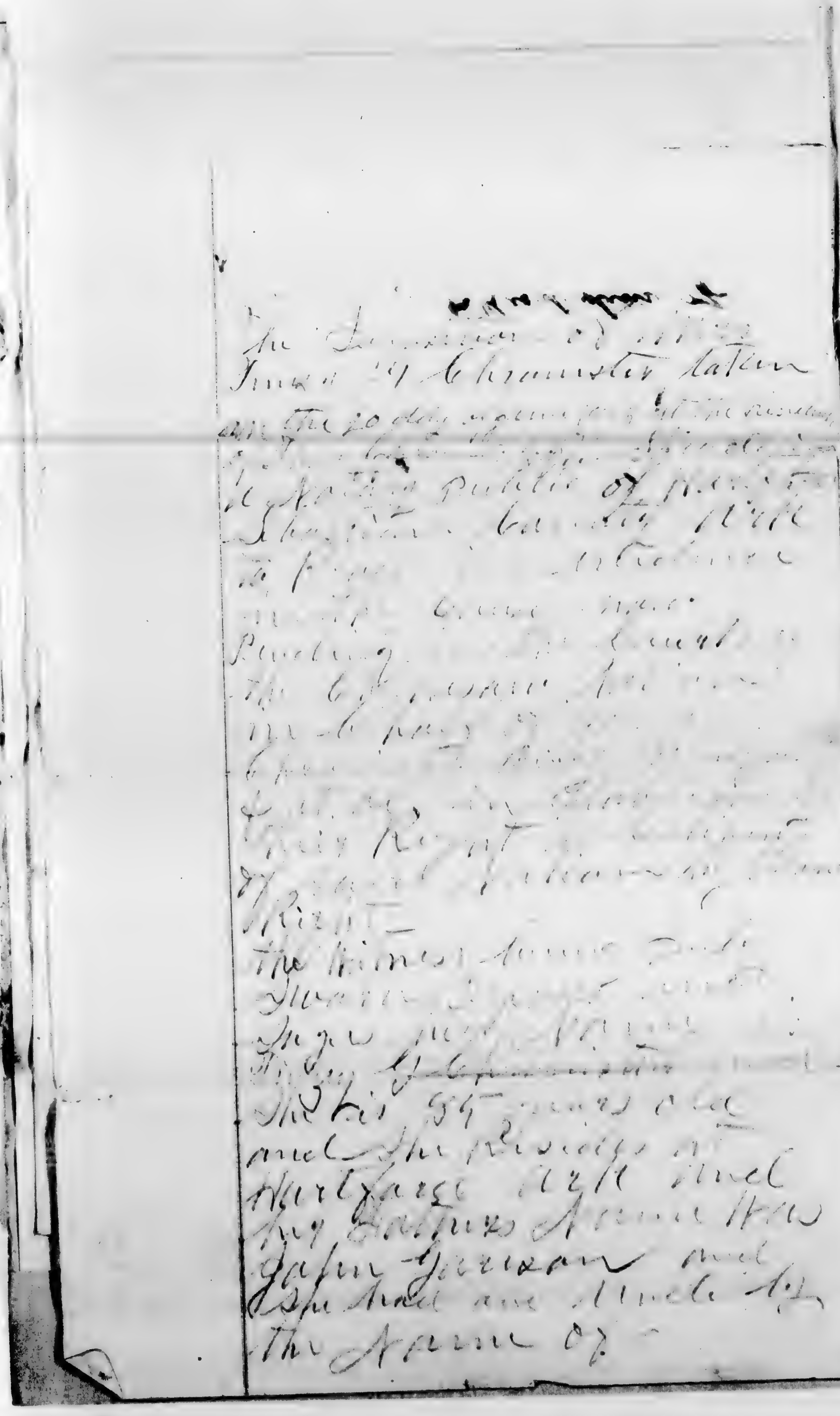
Dan'l Williams
Notary Public

Indian Territory
Chickasaw Nation } The deposition of Almeda E
3rd Judicial Division } Vineyard taken on the 22d day
of February 1895 at my Office in Wynnewood, Chickasaw
Nation Indian Territory, to be used in evidence in the
Chickasaw Council for the purpose of proving
or establishing her Chickasaw blood right as
Chickasaw Indian, and for other purposes.

Said Almeda E Vineyard being duly
sworn deposes and says that her father Joseph
Chronister (a brother to John Chronister) was a full
blood Chickasaw Indian and so recognized
by both Indian and white people, that no other
idea than that she was a Chickasaw Indian by blood
was ever entertained in her mind, same
fact was never questioned by her or her people
or acquaintances. She further testifys that she was
enrolled on the Chickasaw Rolls and name now
appears in the enumeration of ~~1896~~ 1895
Said enrollment was made in the year 1895 while she
was living in the Choctaw Nation

Almeda E. Vineyard

Subscribed and sworn to before me
this 22d day of February 1895
David Williams
Notary Public



State of Ark
County of Sebastian } ss

I W. S. Spradling a Notary Public within and for the County of Sebastian do certify that the age giving Deposition of Tinzy G Chronister was taken by me at the Residence of Chas Chronister on the 20 the day of June - 1893

the Said Jurors by them
being by me Duly Sworn
that the Grand Jury Should
give Give the Case Spoiled
in the truth the Whole
truth & nothing but the
truth and Said Statements
reduced to Writ. & Signed
and Sworn Dressed
Petit Jurors being Present at the Organization
Given under my hand
on this the 20th day of
June 1893

W M Spradling
Notary Public
My Com Exp Oct 19 - 1895

In Deposition of R.H. Stratham taken on the 17th day of Sept 1851 of the age of 38 Years in the town of Hartford Sebastian County Arkansas to be read in Evidence in the Chickasaw Council for the purpose of procuring or Establishing Blood Right of Almeda Vineyard to the Chickasaw Indians and Establish their Citizenship in the Chickasaw Nation

R.H. Statham being of me duly Sworn is testifys in the above mentioned Cause Depones and Says that he is 38 years old and has been personally acquainted with the said James Chrisman from Boyhood and knows of his own knowledge that the said James Chrisman is a Son of Finney Chrisman and that he has been personally acquainted with the said Almeda Vineyard from her birth Saw her Sick and Well after She was Married and knows of his own knowledge that She is a Grand Daughter of the said

Piney Cheramie
Signed at Hartford Ark
Sept 11th 1894

R. H. Statham

State of Arkansas }
County of Sebastian } ss

I P.M. Sprouting a Notary Public in and for the County and State aforesaid do certify that the within named R.H. Statham was before me and was duly sworn and subscribed by him in my presence at the time and place mentioned in the affidavit, and the said R.H. Statham being first by me duly sworn that the statements in the affidavit should be the truth and nothing but the truth me his Statham was sworn to and subscribed by me in his presence

Witness my hand and seal on this the 17th day of Sept 1894 P.M. Sprouting
Notary Public

My term expires Apr 19- 1896

State of Arkansas }
County of Sebastian }

The Deposition of R H Statham taken on the 22 day of Nov 1892 at the office of E M Spradling Notary Public for Sebastian County and in the Town of Van Buren to be used as Evidence in favor of Gains Chronicles Establishing his right as a Citizen of the Cherokee Nation in a Case now pending between the said Gains Chronicles and the Authorities of the Cherokee Nation

The Witness R H Statham being duly sworn Deposes and says he is a Resident of Hartford Ark and is 58 years of age and that he has been personally acquainted with the said Gains Chronicles from his Child Hood and with his father & Mother and all of the family for the Past 34 years and that they have all claimed to have Indian Blood in them for the Past 30 years

R. H. Statham

State of California
County of Sebastian }

I J M Spradling a Notary Public in and for said County of Sebastian certify that the foregoing Deposition of R H Statham was taken before me and was read over to and subscribed by him in my presence at the time and place and in the manner mentioned. The said R H Statham being first sworn by me that the Evidence hereinbefore given in the case should be the truth and nothing but the truth and his statements reduced to writing by me in my Presence

I D Thomas being present and representing the said Defendants Johnson & Johnson made my Stand and Seal on this 26th day Nov 1892

J M Spradling
Notary Public
my Com Expires Oct 19 1896

The deposition of Thomas Chronister
taken on the 17th day of Sept 1814 at the
office of Hill Spradling in the
town of Hartford Schuyler
County Clerk necessary to be read
in Evidence in the Chickasaw
Council Chickasaw Nation now Ter.
for the purpose of proving a
Certain Spanish Land right of
Ahmeda Vineyard and Thomas
Chronister to the Chickasaw
Indians and Establish said right
as Citizens of the Chickasaw Nation
in a case now pending before
said Council

Thomas Chronister
being by me duly Sworn to
testify in the above mentioned
case deposes and says that the
said Thomas Chronister mentioned
in the caption of this Deposition
is a younger Brother of his
and is a son of Jinsy
Chronisters and that the said
Ahmeda Vineyard mentioned
in the caption is a Daughter
of Josephs Chronisters who
also was a son of Jinsy Chronisters

and a Witness by me subscribing
the said Almeda Sprague
a Piece of Pipe and Tobacco
Witness my Hand and Seal on this
the 17th Day of Sept 1844
Thomas Chronister
mark

Witness by
P. M. Spradling
C. D. White

State of Illinois }
Jefferson County } ss

I P. M. Spradling a Justice of the Peace in and for the County of Jefferson do hereby certify that the foregoing Instrument of Paper as Thomas Chronister Deed was before me and was read over to and by him and he did in my presence, by mark to the same and plead as in the within Deed mentioned to be his act and deed for the uses and purposes therein mentioned and I do certify that the Examination of the said Almeda the wife of the said Thomas was taken separate and apart from the said Thomas and that the Contents of the Deed were made known to her by me and that she executed the same freely and voluntarily and of her own free will and accord without any fear or compulsion of her said husband

Given under my hand and Seal this
the 17th day of Sept 1844

P. M. Spradling
Notary Public

my term expires Sept 14 1846

Indian Territory,
Chickasaw Nation, } The deposition of M. F. Thomas
3d Judicial Division } Taken on the 22d day of Feb. 1898
at my Office in Wynnewood, Chickasaw Nation Indian
to be read in evidence in the Chickasaw Council for
the purpose of proving the Chickasaw claim
Almeda E Vineyard.

Said M F Thomas being duly sworn says:
I lived near the Choctaw Nation with my father who was
step brother to Almeda E. Vineyard and that she was
always recognized as Chickasaw Indian by all
with whom we were acquainted, and from my
earliest recollections I have never known any
of Almeda E Vineyards heirs [illegible] pay permits
or royalty to do business in the Indian Territory
In fact the question of their Chickasaw citizenship
was never doubted or questioned

Subscribed and sworn to before me
This 22d day of February 1898
David Williams
Notary Public

State of Arkansas
County of Sebastian
The Deposition of S W Berry taken
on the 26th day of Nov = 1892
at the office of J M Spradling
Notary Public in the Town of
Hartford to be used as Evidence
in favor of James Chrismahs
Establishing his Right as a Citizen
of Cherokee Nation in a
Bond Issue pending between James
Chrismahs and the Authorities of
the Cherokee Nation

The Witness S W Berry being
Duly Sworn Disposes and
Says he is a Resident of Hartford
Ark and is 39 years old and
that he has been personally
acquainted with the said James
Chrismahs and also with the
Chrismahs family in general for
the Past 20 years and that
the have always Claimed to
have Indian Blood in them
and is so understood by all
that I know them that the
have Claimed this Blood for
many years

S W Berry

State of Arkansas
County of Sebastian }

I G. M. Spradling a Notary Public in and for the County of Sebastian do hereby state that the foregoing Examination of Bill Berry was taken before me and reduced to and subscribed by him in my presence at the time and place and in the case mentioned. That said Bill Berry being duly sworn by me to tell the truth the whole truth and nothing but the truth and his statement reduced to writing by me in my presence and presence of persons present and representing the facts given. Witness my hand and seal this the 26th day of June 1894

G. M. Spradling
Notary Public
my Com Expires Oct 19 1896

United States Indian Service,

Union Agency,

Muskogee I.T. 5-4, 1894

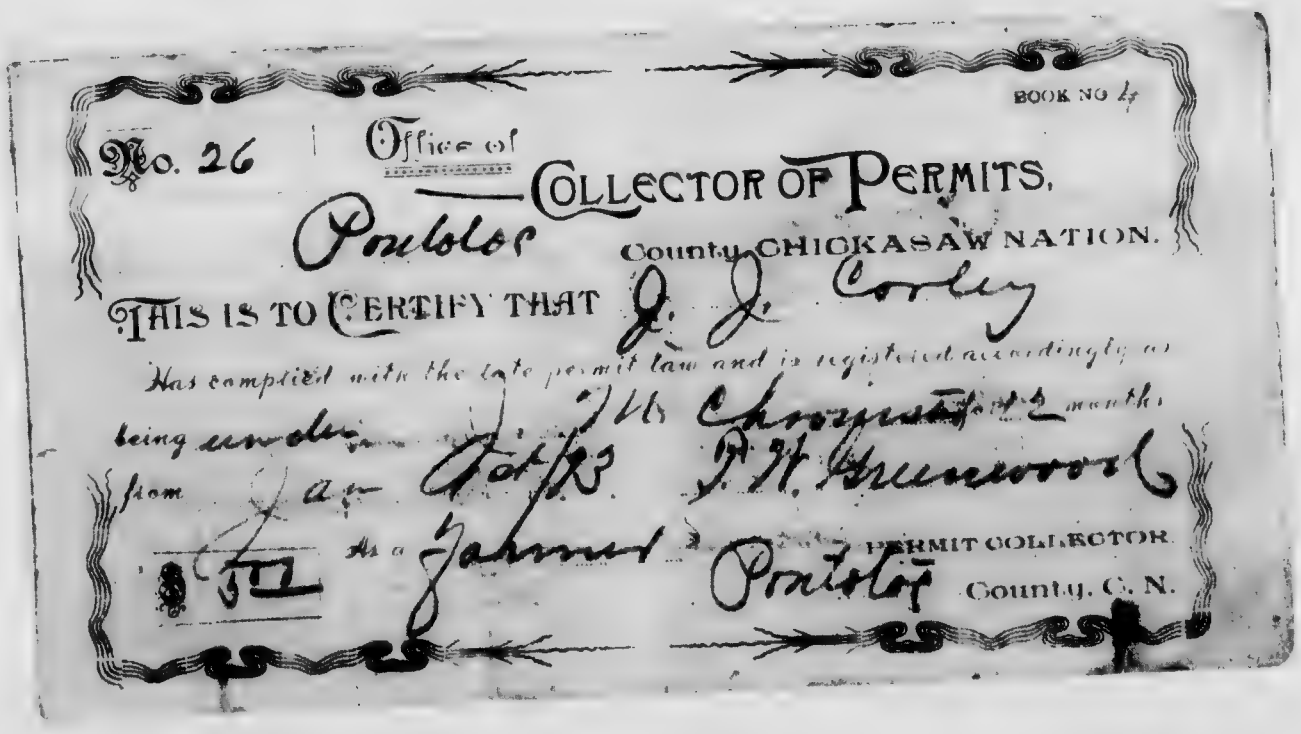
B.R. Vineyard Esqr
Ft Gibson I.T.

Dr Sir

Yours rec'd. If the Council will not take action on your claim, about all that you can do, is to hold on, & wait results. I do not think the Indian authorities can deprive you of your property, without a hearing in some tribunal that will give you justice. I would advise the Chickasaw officers to grant you permits under the circumstances.

Respectfully
D. M. Wisdom
U.S. Ind Agt

M.F.K



Pontotoc County S

To the Governor: We the undersigned citizens of the Chickasaw Nation Indian Territory, would very respectfully represent that J. M Chronister and Almeda Viney and are Indians by blood on their Mothers side and ask that you grant to them the rights of citizenship

James.

W C [illegible]

[illegible]

J S H [illegible]

[illegible]

[illegible]

[

Affidavit of Berry Lowyard

United States of America
Indian Territory
Northern District

Personally appeared before me the undersigned authority Berry Lowyard who being duly sworn to tell the truth, the whole truth, and nothing but the truth, deposes and says:

That the affiants who sign and seal in the case of [illegible] are citizens by blood, and citizens in the Chickasaw Nation, Indian Territory, and [illegible] and that they are the identical [illegible] claiming [illegible].

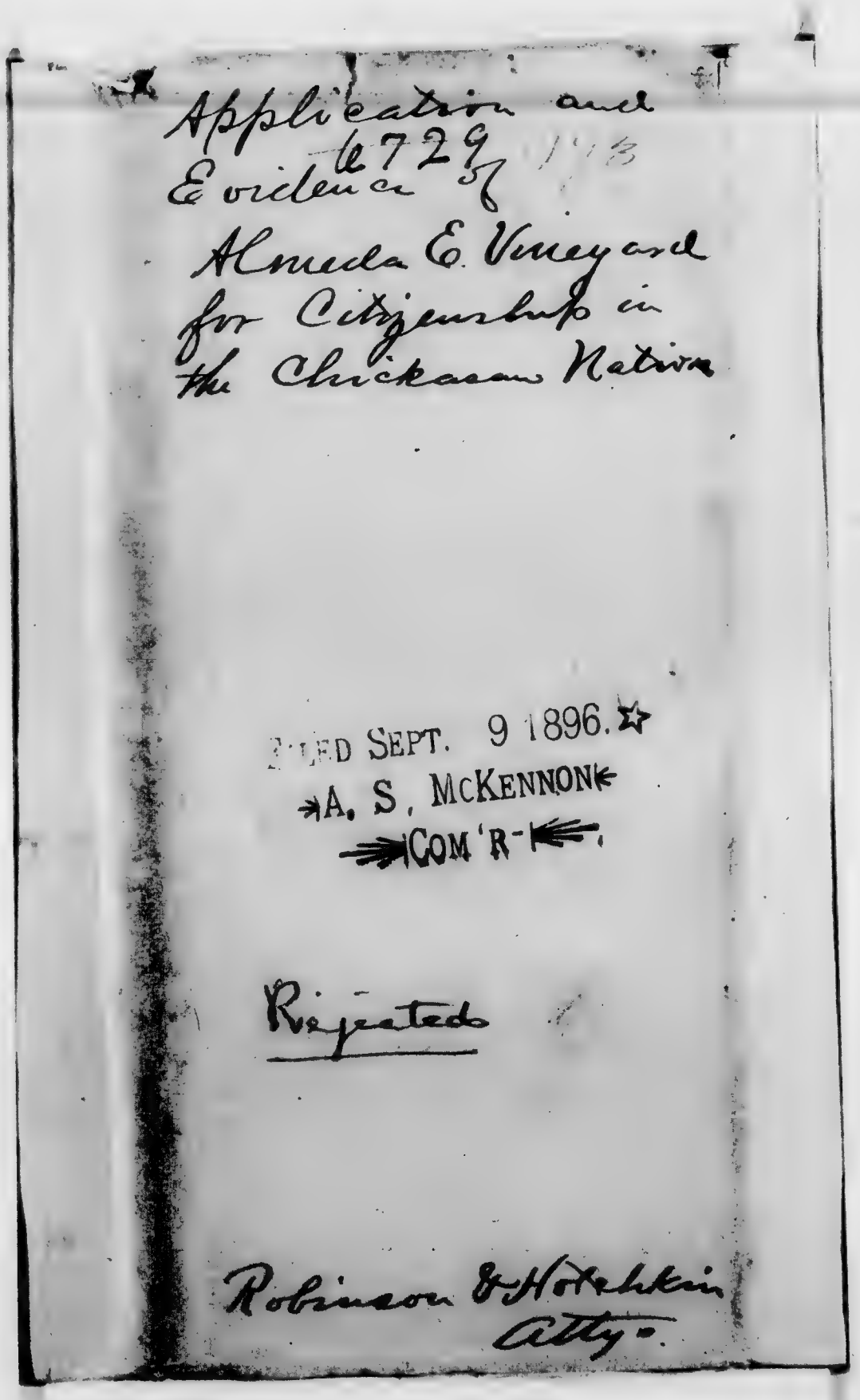
R. H. Blandford

Subscribed and sworn to before me this [illegible]

W. C. Adams
[illegible]

[illegible]

Secretary of the Chickasaw
Nation



Application and
Evidence
6729
Almeda E. Viney and
for Citizenship in
the Chickasaw Nation

FILED SEPT. 9 1896.
A. S. McKENNON
COM'R.

Rejected

Robinson & Hotchkin
Attys.

(over)

The Governor's autograph
appears as in the last page
of the letter of Oct. 1st.

The Governor's acknowledgment
is on the last page at the
bottom. Clerk

No.....

Before the Honorable Commission to the Five Civilized Tribes.

IN the Matter of the Application of Almeda E. Vinyard et al for Enrollment in the Chickasaw Nation.

--: A N S W E R :--

Filed Oct. 31, 1906,
H. M. Jacoway,
Secy.

#173

Ex parte

Alameda E Vineyard et al

Decree

FILED SEPT. 30 1896

A. S. McKENNON

TO THE HONORABLE DAWES COMMISSION:

Ex Parte Mrs. Armeda E. Vinyard et al

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION.

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Almeda E. Vineyard et al

----o-----

Comes now the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and have at all times been, citizens of the United States; and that none of the applicants herein have any eveidence which shows conclusively to this Connission that they are entitled to enrollment in said Nation: it further alleges the fact to be that the petition of the applicants is entirely without foundation in proof or fact. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits attached hereto, and asks that they be considered as a part of this answer.

W H E R E F O R E , It prays that the said application be dismissed, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application for Enrollment in the Chickasaw Nation of Almeda E. Vineyard Et al

-----o-----

--: Affidavit of Jane McLaughlin :--

Indian Territory,)
)
Chickasaw Nation,)

Before me, the undersigned authority, on this day personally appeared Jane McLaughlin, who, being first duly sworn, deposes and says: My name is Jane McLaughlin, and I am a Chickasaw Indian by blood; my age is about 65 years; I was born in Mississippi, and emigrated to the Indian Territory, with the Chickasaws, and have lived in the Chickasaw Nation ever since said emigration, [illegible] called "Jack" McLish; and I know him to have been a Scotchman, who claimed to have had no Indian blood in his veins; he married a Chickasaw Indian girl; I have known the McLish family all of my life, and heard that John McLish married a Chickasaw Indian by the name of "Oxberry"; and that they had children, named Sallie, Polly, Jim, who were all of the children by his said first wife; I know that afterwards he married a Miss Riddle Dyer, and had one child by her, named Frazier; that afterwards he married a Miss Riddle, and he had the following named children by her, viz: Ben and Susan McLish; this McLish family is the only one that I ever knew or heard of among the Chickasaw Indians; I never heard of John McLish having had a sister, named Mrs. Garrison, and do not know that he had a sister at all; but if he did, she was of Scotch blood, the same as John McLish, and had no Indian blood in her veins.

witness Nora Adams

her
Jane + McLaughlin
mark

Subscribed and sworn to before me on this the 20th day of October, A. D.? 1896.

G W Adams

Notary Public.

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Almeda E. Vineyard Et al.

-----o-----

--: Affidavit of Jane McLaughlin :--

Indian Territory,)
)
Chickasaw Nation,)

Before me, the undersigned authority, on this day personally appeared Jane McLaughlin, who, being first duly sworn, deposes and says: My name is Jane McLaughlin, and I am a Chickasaw Indian by blood; my age is about 65 years; I was born in Mississippi, and emigrated to the Indian Territory, with the Chickasaws, and have lived in the Chickasaw Nation ever since said emigration; I knew John McLish, who was sometimes called "Jack" McLish; and I know him to have been a Scotchman, who claimed to have had no Indian blood in his veins; he married a Chickasaw Indian girl; I have known the McLish family all of my life, and heard that John McLish married a Chickasaw Indian by the name of "Oxberry"; and that they had children, named Sallie, Polly, Jim, who were all of the children by his said first wife; I know that afterwards he married a Miss Riddle Dyer, and had one child by her, named Frazier; that afterwards he married a Miss Riddle, and he had the following named children by her, viz: Ben and Susan McLish; this McLish family is the only one that I ever knew or heard of among the Chickasaw Indians; I never heard of John McLish having had a sister, named Mrs. Garrison, and do not know that he had a sister at all; but if he did, she was of Scotch blood, the same as John McLish, and had no Indian blood in her veins.

witness Nora Adams

her
Jane + McLaughlin
mark

Subscribed and sworn to before me on this the 20th day of October, A. D.? 1896.

G W Adams

Notary Public.

In the Matter of the Application of Almeda E. Vinyard for Enrollment in the Chickasaw Nation.

-----o-----

Indian Territory,)
Chickasaw Nation.) ss. --: Affidavit of Nelson Chigley :--

Before me, the undersigned authority, on this day personally appeared Nelson Chigley, who, being first duly sworn, deposes and says: My name is Nelson Chigley; I am 62 years of age, and am a Chickasaw Indian by blood; I came to the Chickasaw Nation with the Chickasaw Tribe of Indians from Mississippi in the year 1837, and have lived here ever since said date; I have been Governor of the Chickasaw Nation; and am familiar with all the Chickasaws by blood or otherwise; I never knew any Chickasaw by the Name of "Chronister"; I know Jim Chronister, a brother of Joseph Chronister, through whom the applicant claims; Jim Chronister used to rent land from me; when he first came there, he claimed to be a Choctaw; but after he failed to prove up his right in the Choctaw Nation, he then claimed to be a Chickasaw; my understanding is that they are Dutch; I never heard of any Chickasaw by the name of the applicant.

Nelson his X mark Chigley

Subscribed and sworn to before me on this the 23rd day of October, A. D:, 1896.

[illegible]
Notary Public.

In the Matter of the Application for Enrollment in the Chickasaw Nation of_____

-----o-----

--: Affidavit of Richard McLish :--

Indian Territory,)
) ss.
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared Richard McLish, who, being first duly sworn, on oath, deposes and says: My name is Richard McLish; I am 36 years of age, and am a Chickasaw Indian by blood; my father's name was Richard McLish, and he was a son of James McLish, who was a son of John McLish; John McLish was a Scotchman, who married a Chickasaw Indian girl; my family of McLish is the only one that I have ever known in the Chickasaw or Choctaw Nation, or any other place, and is the only family of that name that I have ever heard of having Indian blood in their veins; I never heard of John McLish having a sister, and never heard of Mrs. Garrison, who claims to be his sister; but if she is his sister, she is of the same nationality that he was, and that was Scotch; my information on these points is from the family traditions which have been handed down from generation to generation; I never heard of any of the applicants herein claiming to be Chickasaws by blood or otherwise until this time; I have known U. S. Joins for the last fifteen years, and have been with him often, and never heard him claim to be a Chickasaw Indian by blood or that he was any relative of mine; I am not acquainted with any of the other applicants herein.

Richard McLish

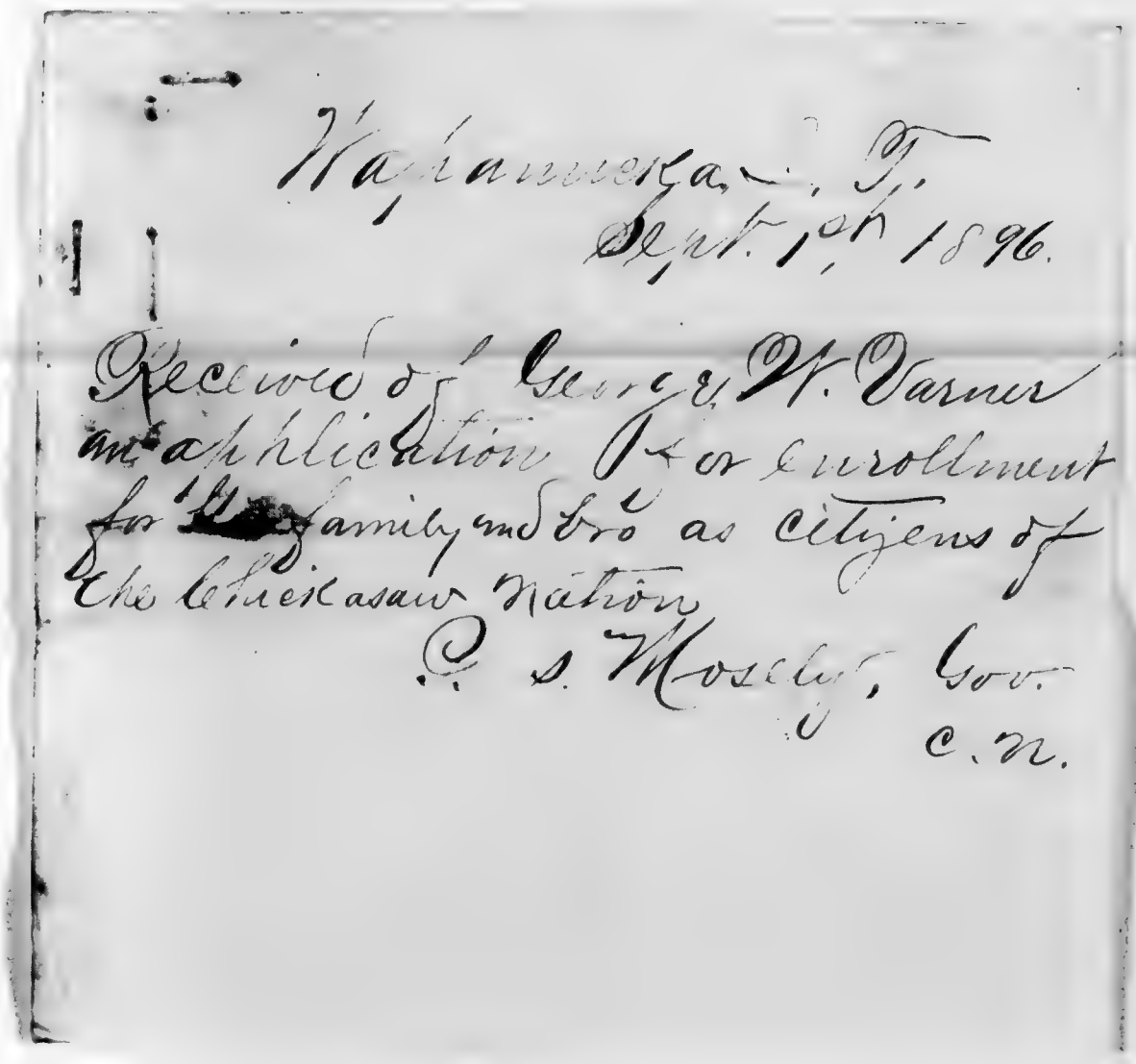
Subscribed and sworn to before me on this the 22nd day of October, A. D., 1896.

G. H. Adams

Notary Public.

End

1896 Chic 174



Tishomingo, I. T.
Sept. 1st 1896.

Received of George W. Garner
his application for enrollment
for self family and bro as citizens of
the Chickasaw Nation.

P. S. Moseley, Gov.
C. N.

Application of
Geo. W. Vonner
for Citizenship in the
Chickasaw Nation

Sam. L. Castleberry, Atty
Tishomingo Ind Ter

United States of America
Southern District
Chickasaw Nation

I, James Jones George W. Varner a red after being duley sworn upon his oath States that on the 1st day of Sept 1896 at the time and place expressed in the attached receipt for the application for citizen ship in the Chickasaw Nation that he also with the same package delivered a copy of all his proof supporting said application which was the affidavits of J. L. Stark William. Hampton. John. Maples. John. H. Varner. Jr A Shamblin and John L Black.

George W. Varner

Sworn to and subscribed before me
This 3d day of Sept 1896
E. E. Grinstead.
N. P.

To the Honorable Henry L. Dawes and the
Commission to the
Indian Territory
Five Civilized Tribes
~~Southern District of United States~~

Your petitioner George W Banner
would state and show by the proof submitted
to the Commission ~~that~~ that he is a Chickasaw
Indian by decent and by blood By Fathers
Name was Jacob Banner who was part
Chickasaw Indian as well as part White my
Grand Father was George Wash Banner who
came from Mississippi in an early day
who also was part Chickasaw Indian. I now
reside at Ashland and ~~he~~ further avers that
these facts can be established by proof to the
satisfaction of the Commission under such
rules and regulations as it may prescribe and he
further avers that these facts being proved he is
entitled to be adjudged under the laws of such
Nation and under the laws of the Congress of the
United States and the Treaties of such Nation
with the United States a citizen of such Nation with
all the rights and privaleges and prohibition of
Citizenship in such Nation. Wherefore he here
with respectfully submits to the Consideration
of the Honorable Commission such proof and
on the hearing he be adjudged entitled to such Citizen
ship and his name be placed upon the proper
roll of Chickasaw Indians as a Citizen of
said Nation. Respectfully George W Banner
Subscribed and Sworn to Before me this ~~of~~ Aug
1896 J. E Grunstead N.P.

2

Application for Enrollment

To the Honorable Henry L Dawes and others
Composing the Commission to the Five
Civilized Tribes.

Gentlemen The undersigned your petitioner
George W Varner for and in behalf of himself
and family this day makes this their application
to you for the purpose of being placed on the rewsll
of Chickasaw Indians and those entitled to share
in the distributions of funds and Allotmen
of land in the Chickasaw Nation by virtue
of their Chickasaw blood and therewith
submit the enclosed and attached affidavits
in support of said Claim and respectfully
await the time when our application
shall be heard and tried. George W. Varner

Enrollment of Family with Relationship

	Age	
George W. Varner	40	Application
Sarah A. Varner	30	wife
Buler. C. Varner	8	daughter
John. E. Varner	6	son
Georg E Varner	3	son
Charley A Varner	1	son

Jno. W Varner	36	Brother
James W Varner	10	Nephew
Ellie Varner	8	Niece
Jno Taylor Varner	6	Nephew
Martha X Waples	xx	Sister
Thos Hamilton	28	Nephew
Jacob Hamilton	25	"
Jno Waples	15	"
Geo Waples	12	"
Lula Waples	3	Niece
John Varner	38	Brother
Shamblen Varner	6	Nephew
Emma mae Varner	3	Niece

Application of Geo W Varner

Given under my hand and seal This 31st day of August 1896

Georgo W Varner

United States of America
Eastern Dist
Southern Dist

Now on this 31st day of Aug. 1896 before me a notary public in and for the aforementioned district personally appeared Geo. W. Varner who being duly sworn stated that the facts set forth in the foregoing application are correct and true.

Sworn to and subscribed before me this 31 day of Aug. 1896

J E Grimstead
Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY

Affidavit of
J. L. Stark

The State of Ala } Before me J. N. Farrow
Chuska County } N.P. & Ex Off J.P. in and
for said County and State, Personaly Appeard
J. J. Stark who after being duly Sworne
deposes and says that he was personaly
acquainted with Jacob. I. Varner and that
said Jacob. I. Varner told him Sometime
in the year 1870 that he was a part
Chickasaw Indian, and from what
he told me and from his general
appearance I have every reason to
believe and do believe that said
Jacob. I. Varner was at least one
Sixteenth Chickasaw indian blood.
He also told me that his father was
of Chickasaw Indian blood and was
raised in the State of Miss near
Memphis Tenn.

J. J. Stark

Subscribed and Sworne
to before me August 20th 1896

J. N. Farrow
N.P. & Ex Off J.P.

I hereby certify that J. J. Stark is a
Respectable person and intitled to Credit
for truth and veracity - Aug 12th 1896

J. N. Farrow
N.P. & Ex Off J.P.

I hereby certify that William Hampton is a respectable person and intitled to Credit

J. N. Farrow
J.P. & Ex. officio J.P.

Affidavit of
William Hampton

The State of Ala. } Before me J. N. Farrow a
Chickasaw County } N. P. & Ex Off. J. P. in and for
said County and State, Personally appeared
William Hamilton who after being duly
Sworne deposeth and saith he was personally
acquainted with Jacob. J. Varner deceased
for about 41 years before his death and
very frequently heard him say that he
was of Chickasaw indian blood, and
his general appearance and complection
indicated that he was at least one sixteenth
Chickasaw indian. I was also acquainted
with Georg. W. Varner who was the father
of Jacob. J. Varner and he showed to be
at least one fourth Chickasaw indian
blood, and he claimed to be of Chickasaw
decent, and was looked on and treated
as such by his neighbors and acquaintance
as I have been in position to know and
do know the general appearance of Indians
for I was raised among them and associated
with them in my boyhood. Jacob. J. Varner
could speak the Chickasaw language
very fluently. Georg. W. Varner father of
Jacob. J. Varner was raised in the State of
Miss near Memphis Tenn. and I have
every reason to believe and do believe
that Jacob. J. Varner was of Chickasaw

indian blood. I am in no way interested in the matter of the claim of the Lisa F Jacob. I. Varner for Citizenship in the Chickasaw indian Nation.

Subscribed and Sworne to before me August 20th 1896.

J N Farrow
NP & Ex off I.P.

his
William + Hamilton
mark

I hereby certify that William Hamilton is a respectable person and intitled to credit

J N Farrow
NP & Ex off I.P.

Affidavit of William, Hamilton

Affidavit of
John, Mathis

The State of Ala } Before me J N Zanone
Chocktaw County } N P & Ex Off J P in and for
said County and State, Personally appeared
John Mallis who after being duly Sworn
deposeth and saith that he became acqu
-ainted with Jacob, J. Vann, deceased,
about 18 or 20 years ~~befor~~ ago and
new him until his death and was
frequently in his company and have often
heard him say that he was part Chickasaw
indian, and from his own Statements to
me and from his general appearance
I have every reason to believe, and do
believe that he was at least one Sixteenth
Chickasaw indian blood if not more

Sworne to and Subscribed
before me August 20th 1896
J N Zanone
N P & Ex Off J P

his
John x Mallis
mark

I hereby Certify that I am well and Personly
aquainted with John Mallis and that he
is a creditable person and intitled to
Credit. Given under my hand This the
20 day of August 1896.

J N Zanone
N P & Ex Off J P

Affidavit of

John M. Varnes

The State of Ala } Before me J.N. Fanoue N.P.+Ex
Cherokee County } off J.P. in and for said County
and State Personally appeared John M. Vanne
who after being duly Sworne deposeth
and saith that he is a Son of Jacob J. Vanne
late of Cherokee County Alabama Deceased
and that he has often heard his father Say
that he was of one Sixteenth Chickasaw
Indian Blood, and that said Jacob J. Vanne
was a Son of one George. W. Vanne who
was one Eighth Chickasaw Indian
blood and was raised in the State
of Miss near Memphis Tenn.
From my fathers Statements frequently
made in My presence, and to me, I have
Every reason to believe, and do believe
that he was of Chickasaw Indian
decent.

John M Vanne

Subscribed and Sworne to
before me August 20th 1896

J.N. Fanoue
N.P.+Ex off J.P.

This is to Certify that John M. Vanne is
a respectable person and entitled
Credit. August 20th 1896. J.N. Fanoue
N.P.+Ex off J.P.

Affidavit of

Dr. A. S Lamblin

The State of Ala } Before me J. N. Farrow
Chroke County } N P + Ex off J P in and for
said County and State Personally appeard
Dr A. Shamblin who after being duley
Sworne deposeth and saith that he became
acquainted with Jacob. J. Varner about
the year 1877 and new him well until his
death, that he was his family Physician
from from 1877 until 1884 when he died
and that he heard said Varner say very
frequently that he was of Chickasaw Indian
blood, and from what said Varner told
me and from his general appearance
I have every reason to belive and do
belive that he was of Chickasaw
Indian decent, I have also heard
him say that his father was raised in
the State of Miss. } A. Shamblin
Sworne to and Subscribed
before me August 20th 1896
J. N Farrow
N P + Ex off J P.

I Duly Certify that I am personally acquainted
with Dr A Shamblin and that he is respectable
person and intitled Credit. Aug 20th 1896.
J. N Farrow
N P + Ex off J P

174

No 9.80

George N Varner

vs

Cherokee Nation

Filed Sept 5- 1896

A.S. McKennon
Comm

Rejected

United States of America
2nd Dist
Southern Dist

Affidavit of J. J. Black in the citizenship claim of Gen. T. J. Varner who being duly sworn says.

My name is Jno. J. Black my Postoffice is Pickens C.H. I have known the applicant in this cause Gen. T. Varner for about 9 years & know that he has always claimed to be of Chickasaw Indian descent and further know that said T. Varner's reputation for truth and moral integrity is beyond reproach

I also know Dr. A. Hamlin whose affidavit is attached to said application have known him for 20 years and that he is a man of unquestionable honor, and has a good name for moral uprightness

Jno J. Black

Sworn to and subscribed before me This 31st day of August 1886

B. E. Grunstead
Notary Public

No. 984.

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of George W. Varner et al for
Enrollment in the Chickasaw
Nation.

--: A N S W E R :--

Filed Oct. 31, 1906,

W. W. Jayroe,
Clerk.

TO THE HONORABLE DAWES COMMISSION:

Ex Parte Chas. S. Mangum et al

Comes now the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E, It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says, that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

#174

Ex parte

Chas. L Maupin

Demurrer

FILED SEPT 30
A. S. LOCKHART

TO THE HONORABLE DAWES COMMISSION:

Ex Parte George W. Varnes et al

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is in sufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E , It ~~xxx~~ asks that said application be dismissed.

Tjird--For further special exception, the Chickasaw Nation says that the application is insufficient in that the same shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

Ex parte

George H. Varnen
et al

D Enmen

FILED SEPT. 3 1896.
A. S. L. KENNON

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of George W. Varner et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretoforde taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and have at all times been citizens of the United States; and that none of the applicants herein have any evidence which shows to this Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the petition of the applicants herein is entirely without foundation in proof or facta. Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached, and asks that they be considered as a part of this answer

W H E R E F O R E , It prays that the application herein be dismissed, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

Records come into the Territory evidence also shows given outside Territory

In the Matter of the Application for Enrollment in the Chickasaw Nation of George W. Varner et al.

-----o-----

Indian Territory,)
) ss. --: Affidavit of C. A. Burris :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared C. A. Burris, who, being first sworn, deposes and says: My name is C. A. Burris; I am 67 years of age, and am a Chickasaw Indian by blood I came to this country with the Chickasaw Tribe of Indians from the State of Mississippi in the year 1837, and have lived here ever since; I have been a member of the House of Representatives of the Legislature of the Chickasaw Nation; also a senator; District Judge, Supreme Judge, and was this year a Delegate to Washington in the interest of the Chickasaw people and Nation; I have never known of a family by the name of "Varner", who were Chickasaws either by blood or otherwise, either in the Indian Territory, or the state of Mississippi; I knew a family who had a name similar to that, but they were Cherokees. I think that if there was a family by that name who were Chickasaws, I would have known them, or at least have heard of them.

C. A. Burris

Subscribed and sworn to before me on this the 24th day of October, A. D., 1896.

Geo. Lewis

Notary Public.

End

1986 Chic 175

No. 3866

L. E. Atkinson

vs

Chickasaw Nation

no ____

FILED S[illegible] 8 1[illegible]

A. S. M[illegible]KENNON

C[illegible]R-

[illegible]

J. P. Conners
Pallie Byrd
atty
for Pltf

POOR ORIGINAL -
BEST AVAILABLE COPY

B

REGISTRY RECEIPT.

Post Office at Atoka I.T.

Registered ~~Letter Packet~~ No. 93 Rec'd 9/8, 1896,

of W. E. Atkinson
Atoka I.T.

addressed to Gen. D.S. Moseley Scranton Pa
Wapanucka I.T.

J. A. C. Gate, P. M.

B

United States of America,Central
District of the Ind.Ter.

I,Fredrick Hartshorn ,do solemnly swear that on the 8th day of Sept 1896,I saw a package registered at Atoka Post Office in the Choctaw Nation addressed to Gov.Palmer S.Mosley as govenor of the Chickasaw Nation at Wapanucka I.T..That the registry receipt No 93 received from post master J.L.C.Pate hereto attatched is a receipt for said package,which contained true Copies of the application,of C E Atkinson and affidavit of R.F.Turner and copies of Marriage license and marriag certificate in support thereof

Fredrick Hartshorn

Subscribed and sworn to before me this 8th of Sept.1896.

Jos S Ralls

Notary Public for above district and Territory.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

C E Atkinson, Applicant for enrollment as a member of the ~~Choctaw~~ Chickasaw Tribe of Indians.

YOUR APPLICANT, C E Atkinson, *respectfully represents to this Honorable Commission that he is a regularly recognized member of the* ~~*Choctaw*~~ Chickasaw *Tribe of Indians of the Indian Territory and is a bona fide resident of the Choctaw Nation and is entitled to be placed upon the rolls being prepared by this Honorable Commission, as a member of said* ~~*Choctaw*~~ Chickasaw *Tribe or Nation, for the following reasons to-wit:*

1st. There is no correct and perfect roll of the members of the ~~*Choctaw*~~ Chickasaw *Tribe of Indians, and no law or authority for the* ~~*Choctaw*~~ Chickasaw *Nation to make such rolls.*

2nd Your applicant was on the 26th *day of* Nov *1895 A citizen of the United States and a white man and resident of the Choctaw Nation and was on said date legally and in compliance with the laws of the Choctaw Nation married to* Miss Mattie Atkinson *nee* Miss Mattie Phillips *who was then and is now a regularly recognized member by blood of the said* ~~*Choctaw*~~ Chickasaw *Tribe of Indians, a copy of the marriage license and the certificate of marriage is hereto atlached and marked exhibits "A" and "B" and made a part hereof.*

3rd. By virtue of said marriage your applicant became a member of the said tribe of Indians and has ever since been so recognized by the other members of the said nation and his membership has never been denied or forfeited.

Your applicant files herewith the affidavit of R F Inman *as additional proof of the membership of his wife* Mrs Mattie Atkinson *nee* Miss Mattie Phillips, *And ask that his name be placed upon the roll as a member of the Choctaw Tribe of Indians.*

C E Atkinson

Subscribed and sworn to before me this the 7th day of Sept 1896.

J W Martin

Notary Public for the Central District of the Indian Territory.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of C E Atkinson, Applicant for enrollment as a member of the ~~Choctaw~~ Chickasaw Tribe of Indians.

ON THIS the 7th day of Sept 1896, personally appeared before me the undersigned authority, R F Inman who, having been by me first duly sworn according to law states on his oath as follows to wit:

"I am 42 years old, am a resideat of Colbert county of the Choctaw nation and am a member of the ~~Choctaw~~ Chickasaw nation. I am acquainted with the applicant, C E Atkinson and have known him during the last past 2 years. I know his wife Mrs Mattie Atkinson and have known her for 15 years. I knew her father and mother and know them and her to be members, by blood, of the ~~Choctaw~~ Chickasaw Tribe of Indians and they are so recognized by other members of the said Tribe. Ever since the applicant married said Mattie Atkinson he has been recognized as a member of the said ~~Choctaw~~ Chickasaw Tribe and his right has never been disputed.

Mrs. Mattie Atkinson, was before her marriage to the applicant a Miss Mattie Phillips, being the daughter of G. J. Phillips and Mary Phillips

The applicant is now a resident of the Choctaw nation.

R F Inman

Subscribed and sworn to before me this the 7th day of Sept 1896.

S P Manton

Notary Public for the Central District of the Indian Territory.

Wade County
Choctaw Nation
Indian Territory

Know all men by these presents.
That I D S Noah, County Clerk of
Wade County Choctaw Nation by
virtue of authority in me vested
by laws of the Choctaw Nation do
hereby grant unto Clarance E.
Atkinson a citizen of the United States
a license to marry one Mattie Phillips
a citizen of the Choctaw Nation and
that said Clarance E Atkinson
shall when married be entitled to
all the rights and privileges of
Choctaw Citizenship.

Given under my hand and seal
This the 4th day of
November A.D. 1895

D S Noah.
C. Clerk.
Wade Co. C.N.

Sworn to and subscribed before me
this 4th day of Nov 1895

D S Noah.
County Clerk

Recd for record this 3rd day of
Dec. 1895 and recorded the same day
on page 141 on Book No 3

By D S Noah
County Clk.
Hall Co. Ga.

Certificate of Marriage

Indian Territory
Choctaw Nation.

I. E. E. Mathes A. minister of the gospel do hereby certify, that on the 26 day of November A.D. 1895 I did duly and according to law as commanded in the foregoing license solemnize the Rite and publish the Banns of Matrimony between Clarner E. Atkinson and Mattie Thrift the parties therein named.

Witness my hand this 29 day of November A.D. 1895

My Credentials are recorded in the Clerk of the United States Court in the Indian Territory Northern district Book A page 91.

E E Mathes
A. Minister of the Gospel

Second

Received for record
this 31st day of Dec 1895
and recorded the same day
on page 141 Book No 3.
By S B Nook
County Clk
Wade Co
Choctaw Nation

End

1896 Chic 176

No. 1776

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Alson Alred et al for En-
rollment in the Chickasaw Na-
tion.

--: Demurrer and Answer :--

Filed Oct. 21, 1896

W. W. Jacoway

Sec'y.

Original

To the Honorable the Dawes Commission, on
Citizenship in the Five Civilized Tribes in
the Indian Territory.

Your petitioner Alson. Allred. the
undersigned respectfully states that he
is a Chickasaw Indian by blood. and
as he is to be enrolled as a member of the
Chickasaw Nation of Indians. in the Indian
Territory. That he derives his said Indian
blood from Sally, or Sarah. Allred his
Mother. who was a Chickasaw. Indian by
blood. Sally or Sarah. Allred was a daugh-
ter. of Pleasant. Colbert and a sister to
Levi. Colbert. who was Chickasaw Indian
by blood. Your petitioner states the above
facts as the lawful grounds of his applica-
tion for Citizenship in the Chickasaw.
Nation and prays that his claim may be
fully investigated by Your Honorable
Commission and that he be adjudged to be
a Citizen of said Nation of Indians and
entitled to all the rights and privileges
pertaining to such citizenship in accordance
with the laws and treaties with said
Nation of Indians. My age is 35 Years
My Post Office address is Ada Oklahoma.
My family consists of the following named

My wife and children as follows.

Matilda L.	Allred	wife	age 32 years
Effie M.	Allred	a child	" 8 "
Ola L.	Allred	" "	" 6 "
Sarah D.	Allred	" "	" 3 "
Estie C.	Allred	" "	" 1 "

Witness my hand this 26th day of August 1896

Alson. Allred

State of Arkansas
County of Conway } ss

Personally appeared before me the undersigned authority. Alson. Allred to me known to be the petitioner in the above petition who being by me first duly sworn upon his oath says that he is the petitioner in the above petition. that he has read or heard read the said petition and that the facts stated therein are true as he verily believes.

Alson. Allred

Subscribed and sworn to before me at Pale Arkansas. this 26th day of August A. D. 1896.

C. B. Bell. N. P.

Expiration of office Nov 4-1897

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation

of [illegible]

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application herein is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights, privileges and immunities of a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Alson Alred et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and always have been citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the application of the petitioners herein is entirely without foundation in fact or proof., The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached, and asks that they be considered a part of this answer.

W H E R E F O R E , It prays that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

Wm McCulloch

Indian Territory,)
) ss.
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared C. A. Burris, who being first duly sworn, deposes and says: My name is C. A. Burris; I am 67 years of age, and a Chickasaw Indian by blood; I came to this country with the Chickasaw Tribe of Indians from the state of Mississippi, in the year 1837, and have resided here ever since; I have been a member of the House of Representatives of the Legislature of the Chickasaw Nation; also Senator, District Judge, Supreme Judge, and was Delegate to Washington, this year, in the interest of the Chickasaws; I know, by tradition, that there were no full blood Chickasaw Indians by the name of "Colbert"; the way the name originated in the Chickasaw Tribe of Indians, was that Levi and George Colbert, two white men, married into the Chickasaw Tribe in the state of Mississippi; from them descended all the Chickasaws by the name of "Colbert"; I was, and have been for many years, well acquainted with all their descendants, except the younger members of the family, born in very recent years; Levi and George Colbert had some relations, who were white people, but who never married into the Chickasaw Tribe of Indians; I never heard of any "Colbert", who belonged to the Chickasaws, by the name of "Pleasant Colbert", nor by the name of "Davis Colbert", nor his sister, "Sallie Colbert", who claims to have married a man by the name of "Alred"; I believe that if any such personshad ever been members of the Chickasaw Tribe of Indians, I would have known them; or, at least, heard of them; I lived with Pitman Colbert, who was a son of George Colbert, and am perfectly familiar with all the family relations, who were members of the Chickasaw Tribe of Indians; I am confident, and I believe the facts to be, that the descendants, claiming through Colbert, other than Levi and George Colbert, are the white relations of the said George and Levi Colbert, but who had not become members of the Chickasaw Tribe of Indians; there never were

any Colberts, of Chickasaw Indian blood, except the descendants of Levi and George Colbert, as above stated.

C A Burris

Subscribed and sworn to before me on this the 23 day of October, A. D., 1896.

Will Lucas

Notary Public.

End

1896 Chic 177

Original.

To the Honorable the Dawes Commission on
Citizenship in the Five Civilized Tribes in the
Indian Territory.

Your petitioner, Lee Allred, the undersigned
respectfully states that he is a Chickasaw
Indian by blood and asks to be enrolled
as a member of the Chickasaw Nation of
Indians, in the Indian Territory.
That he derives his said Indian blood from
Sally or Sarah Allred, his mother who
was a Chickasaw Indian by blood.
Sally Allred was a daughter of Pleasant
Colbert and a sister to Davis Colbert
who were Chickasaw Indians by blood.
Your petitioner states the above facts as the
lawful grounds of his application for
Citizenship in the Chickasaw Nation and
prays that his claim may be fully investigated
by your Honorable Commission and that
he be adjudged to be a citizen of said
Nation of Indians and entitled to all the
rights and privileges pertaining to such
Citizenship in accordance with the
laws and treaties with said Nation
of Indians. My age is 29 years
My Post Office address is Berryville
Arkansas. My family consists

of the following named persons. My wife and children as follows.

Zona. Allred. wife aged 21 years
William G. Allred. child. " 9/12 "

Witness my hand this 26th day of August 1896.

Lee Allred

State of Arkansas.
County of Carroll } ss.
Personally appeared before me the undersigned authority Lee. Allred. to me known to be the petitioner in the above petition who being by me first duly sworn upon his oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition and that the facts stated therein are true as he verily believes.

Lee Allred

Subscribed and sworn to before me at Eureka Arkansas this 26th day of August A. D. 1896.

F. B. Bell. N. P.

Expiration of Office Nov 4-1897

Lee Allred

No. 1287,

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Lee Alred et al for Enroll-
ment in the Chickasaw Nation.

--: Demurrer and Answer :--

Filed Oct. 31, 1896,
H. M. Jacoway,
Secy.

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :

---o---

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Lee Abed et al

---o---

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application herein is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights, privileges and immunities of a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation of Lee Alred et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents, this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and always have been citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the petition of the applicants herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached, and asks that they be considered as a part of this answer.

W H E R E F O R E, It prays that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

Indian Territory,)
) ss.
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared C. A. Burris, who being first duly sworn, deposes and says: My name is C. A. Burris; I am 67 years of age, and a Chickasaw Indian by blood; I came to this country with the Chickasaw Tribe of Indians from the state of Mississippi, in the year 1837, and have resided here ever since; I have been a member of the House of Representatives of the Legislature of the Chickasaw Nation; also Senator, District Judge, Supreme Judge, and was Delegate to Washington, this year, in the interest of the Chickasaws; I know, by tradition, that there were no full blood Chickasaw Indians by the name of "Colbert"; the way the name originated in the Chickasaw Tribe of Indians, was that Levi and George Colbert, two white men, married into the Chickasaw Tribe in the state of Mississippi; from them descended all the Chickasaws by the name of "Colbert"; I was, and have been for many years, well acquainted with all their descendants, except the younger members of the family, born in very recent years; Levi and George Colbert had some relations, who were white people, but who never married into the Chicksaw Tribe of Indians; I never heard of any "Colbert", who belonged to the Chickasaws, by the name of "Pleasant Colbert", nor by the name of "Davis Colbert", nor his sister, "Sallie Colbert", who claims to have married a man by the name of "Alred"; I believe that if any such personshad ever been members of the Chickasaw Tribe of Indians, I would have known them; or, at least, heard of them; I lived with Pitman Colbert, who was a son of George Colbert, and am perfectly familiar with all the family relations, who were members of the Chickasaw Tribe of Indians; I am confident, and I believe the facts to be, that the descendants, claiming through Colbert, other than Levi and George Colbert, are the white relations of the said George and Levi Colbert, but who had not become members of the Chickasaw Tribe of Indians; there never were

any Colberts, of Chickasaw Indian blood, except the descendants of Levi and George Colbert, as above stated.

C A Burris

Subscribed and sworn to before me on this the 23 day of October, A. D., 1896.

[illegible]

Notary Public.

End

1896 chic 178

#40

No. 1782

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

J. W. Archard

VS.

Chickasaw Nation.

Received and filed this day of

189

Secretary.

ELEVATOR JOB PRINT FORT SMITH

FEB 4 1891

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

J. W. Orchard vs. Cherokee Nation, as follows:

Application & Evidence	
Answer " "	
Certified Copies of entries & judgments	

WITNESS my hand and official seal at Tahlequah

this the 5 day of Feby 1897

Jos. W. Phillips

Clerk

40
1785

J. W. Cochart

vs

Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

J. W. Archard

No. 178 vs.

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians—*

SIR: You are hereby notified that an appeal has been granted in the matter of the application of J. W. Archard to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 4 day of ~~December~~ June, 1897.

Jos. W. Phillips *Clerk.*

2/ Dec #178
J. Merchant
181 W

Emma.

30 10 ΣΓ

A. S. McKINNON
COMR

TO THE HONORABLE DAVIS COMMISSION:

•X OAS

TO THE HONORABLE DAWES COMMISSION:

Ex Parte W. Archard et al

Comes now the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim to citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E , It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that said application is insufficient in that the same shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION.

BY ITS ATTORNEYS.

End

1896 chic 179

Caldonia Allred

State of Arkansas }
County of Pearsall } ss.

Personally appeared before me the undersigned authority Caldona Allred. to me known to be the petitioner in the above petition who being by me first duly sworn upon her oath says that she is the petitioner in the above petition that she has read (or heard read) the said petition and that the facts stated therein are true as she verily believes.

Caldonia Allred

Subscribed and sworn to before me at Pearl Arkansas this 27th day of August A.D. 1896.

T. J. Bell. N.P.
Expiration of Office Nov 4-1897

Original.

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory.

Your petitioner Caldona Allred, the undersigned respectfully states that she is a Chickasaw Indian by blood, and asks to be enrolled as a member of the Chickasaw Nation of Indians in the Indian Territory. That she derives her said Indian blood from Sally or Sarah Allred her mother, who was a Chickasaw Indian by blood. Sally or Sarah Allred was a daughter of Pheasant Colbert, and a Sister of Davis Colbert, who were Chickasaw Indians by blood. Your petitioner states the above facts as the lawful grounds of her application for Citizenship in the Chickasaw Nation and prays that her claim may be fully investigated by your Honorable Commission and that she be adjudged to be a citizen of said Nation of Indians and entitled to all the rights and privileges pertaining to such Citizenship in accordance with the laws and treaties with said Nation of Indians. My age is 42 years My Post office address is Pell Arkansas I have no family. Witness my hand this 27th day of August 1896

Caldonia Allred

State of Arkansas }
County of Lonoke } ss.

Personally appeared before me the undersigned authority Caldona. Allred. to me known to be the petitioner in the above petition who being by me first duly sworn upon her oath says that she is the petitioner in the above petition that she has read (or heard read) the said petition and that the facts stated therein are true as she verily believes.

Caldonia Allred

Subscribed and sworn to before me at Cabot Arkansas this 27th day of August A.D. 1896.

J. B. Bell. N.P.
Expiration of Office Nov 4-1897

No. 179

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Caledonia Alred et al for
Enrollment in the Chickasaw
Nation.

--: Demurrer and Answer :--

7. Sept 21, 1906.

H. W. Jacoway
Atty.

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
for California Alred et al

-----o-----

Now c mes the Chickasaw Nation, by its Attorneys, and respectfully excepts th the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians?

WHEREFORE , It prays that said application be dismissed.

Third--For further special exception the Chickasaw Nation says that the application herein is not sufficient in that it shows that the applicant has not complied with the laws of the said Nation, and, therefore, is not entitled to any of the rights, privileges and immunities as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation

of Caledonia Alred et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and always have been citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the application of the petitioners herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained the exhibits hereto attached, and asks that they be considered a part of this answer.

W H E R E F O R E, It prays that the application filed herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

Indian Territory,)
) ss.
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared C. A. Burris, who being first duly sworn, deposes and says: My name is C. A. Burris; I am 67 years of age, and a Chickasaw Indian by blood; I came to this country with the Chickasaw Tribe of Indians from the state of Mississippi, in the year 1837, and have resided here ever since; I have been a member of the House of Representatives of the Legislature of the Chickasaw Nation; also Senator, District Judge, Supreme Judge, and was Delegate to Washington, this year, in the interest of the Chickasaws; I know, by tradition, that there were no full blood Chickasaw Indians by the name of "Colbert"; the way the name originated in the Chickasaw Tribe of Indians, was that Levi and George Colbert, two white men, married into the Chickasaw Tribe in the State of Mississippi; from them descended all the Chickasaws by the name of "Colbert"; I was, and have been for many years, well acquainted with all their descendants, except the younger members of the family, born in very recent years; Levi and George Colbert had some relations, who were white people, but who never married into the Chickasaw Tribe of Indians; I never heard of any "Colbert", who belonged to the Chickasaws, by the name of "Pleasant Colbert", nor by the name of "Davis Colbert", nor his sister, "Sallie Colbert", who claims to have married a man by the name of "Alred"; I believe that if any such personshad ever been members of the Chickasaw Tribe of Indians, I would have known them; or, at least, heard of them; I lived with Pitman Colbert, who was a son of George Colbert, and am perfectly familiar with all the family relations, who were members of the Chickasaw Tribe of Indians; I am confident, and I believe the facts to be, that the descendants, claiming through Colbert, other than Levi and George Colbert are the white relations of the said George and Levi Colbert, but who had not become members of the Chickasaw Tribe of Indians; there never were

any Colberts, of Chickasaw Indian blood, except the descendants of Levi and George Colbert, as above stated.

C A Burris

Subscribed and sworn to before me on this the 23 day of October, A. D., 1896.

W M Lands

Notary Public.

End

1896 chic 180

Original.

To the Honorable the Dawes Commission on
Citizenship in the Five Civilized Tribes in the
Indian Territory.

Your petitioner Mahew. Alred. the undersigned respectfully states that he is a Chickasaw Indian by blood, and asks to be enrolled as a member of the Chickasaw Nation of Indians in the Indian Territory.

That he derives his said Indian blood, from Sally, or Sarah, Alred. his mother. who was a Chickasaw Indian by blood. Sally or Sarah Alred. was a daughter of Pleasant. Colbert. and a Sister to Davis Colbert. who were Chickasaw Indians by blood. Your petitioner states the above facts as the lawful grounds of his application for Citizenship in the Chickasaw Nation and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 44 years. My Post Office address is Rule Arkansas. My family consists of the following named persons. My wife and Children as follows.

Mary E. Abed. wife aged 34 years
Gracie L. Abed. a child " 10 "
Thomas L. Abed. " " " 8 "
Earl E. Abed " " " 4 "

Witness my hand this 24th day of August 1896
Malen Abed

State of Arkansas }
County of Carroll } SS.

Personally appeared before me the undersigned authority Malen Abed. to me known to be the petitioner in the above petition. who being by me first duly sworn upon his oath says that he is the petitioner in the above petition that he has read (or heard read) the said petition; and that the facts stated therein are true as he verily believes.

Malen Abed

Subscribed and sworn to before me at Eureka Arkansas this 24th day of August A. D. 1896
O. P. Bell N. P.
Expiration of Office June 4. 1897

Rejected

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application of
Malen Alred et al for Enroll-
ment in the Chickasaw Nation.

--: Demurrer and Answer :--

Filed Oct. 31—1896,
W. W. Jacoway
Secy.

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Malon Allred

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application herein is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights, privileges and immunities of a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Malen Alred et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and always have been citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the application of the petitioners herein is entirely without foundation in fact or proof., The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached, and asks that they be considered a part of this answer.

W H E R E F O R E , It prays that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

Allen Wardwell

Indian Territory,)
) ss.
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared C. A. Burris, who being first duly sworn, deposes and says: My name is C. A. Burris; I am 67 years of age, and a Chickasaw Indian by blood; I came to this country with the Chickasaw Tribe of Indians from the state of Mississippi, in the year 1837, and have resided here ever since; I have been a member of the House of Representatives of the Legislature of the Chickasaw Nation; also Senator, District Judge, Supreme Judge, and was Delegate to Washington, this year, in the interest of the Chickasaws; I know, by tradition, that there were no full blood Chickasaw Indians by the name of "Colbert"; the way the name originated in the Chickasaw Tribe of Indians, was that Levi and George Colbert, two white men, married into the Chickasaw Tribe in the state of Mississippi; from them descended all the Chickasaws by the name of "Colbert"; I was, and have been for many years, well acquainted with all their descendants, except the younger members of the family, born in very recent years; Levi and George Colbert had some relations, who were white people, but who never married into the Chickasaw Tribe of Indians; I never heard of any "Colbert", who belonged to the Chickasaws, by the name of "Pleasant Colbert", nor by the name of "Davis Colbert", nor his sister, "Sallie Colbert", who claims to have married a man by the name of "Alred"; I believe that if any such personshad ever been members of the Chickasaw Tribe of Indians, I would have known them; or, at least, heard of them; I lived with Pitman Colbert, who was a son of George Colbert, and am perfectly familiar with all the family relations, who were members of the Chickasaw Tribe of Indians; I am confident, and I believe the facts to be, that the descendants, claiming through Colbert, other than Levi and George Colbert, are the white relations of the said George and Levi Colbert, but who had not become members of the Chickasaw Tribe of Indians; there never were

any Colberts, of Chickasaw Indian blood, except the descendants of Levi and George Colbert, as above stated.

C A Burris

Subscribed and swern to before me on this the 23 day of October, A. D., 1896.

[illegible]

Notary Public.

End

1896 chic 181

No.....

Befor the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Laben Alred et al for En-
rollment in the Chickasaw Na-
tion

--: Demurrer and Answer :--

Filed Oct. 31, 1896,
H. W. Jamison
Secy.

Original.

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory.

Your petitioner, Gaben, Allred, the undersigned respectfully states that he is a Chickasaw Indian by blood and asks to be enrolled as a member of the Chickasaw Nation of Indians in the Indian Territory. That he derives his said Indian blood from Sally, or Sarah, Allred his mother, who was a Chickasaw Indian by blood. Sally or Sarah Allred was a daughter of Pleasant Colbert and a Sister to Davis Colbert who were Chickasaw Indians by blood. Your petitioner states the above facts as the lawful grounds of his application for citizenship in the Chickasaw Nation and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws, treaties with said Nation of Indians.

I have no family. My age is 30 yrs. My Post Office address is Rule Arkansas

Witness my hand this 27 th day of August 1896

Laban Abed

State of Arkansas
County of Carroll } ss.

Personally appeared before me the undersigned authority Laban Abed to me known to be the petitioner in the above petition. Who being by me first duly sworn upon his oath says that he is the petitioner in the above petition that he has read (or heard read to) the said petition and that the facts stated therein are true as he verily believes.

Laban Abed

Subscribed and sworn to before me at Pink Arkansas this 27th day of August A.D. 1896.

F. P. Bell. N.P.
Expiration of Office Nov 4-1899

Rejected

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :

-----o-----

In the Matter of the Application of Eaton Alfred et al

-----o-----

Now comes the Chickasaw Nation, by its attorneys, and respectfully excepts to the application herein, and says that the sme is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

SEcond--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evedénce produced by the applicany is insuffieient in that it does not show any claim of citizenhip in the Chickasaw Tribe of Indians.

WHEREFORE, Rt prays that said application be dismissed

Third--For further special exception, the Chickasaw Nation sys that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore , is not entitled to sy of the rights, privileges and immunities as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

---o---

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Luben Alfred et al

---o---

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon the question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents :

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and always have been citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the application of the petitioners herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained the exhibits hereto attached, and asks that they be considered a part of this answer.

W H E R E F O R E , It prays that the application filed herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

McKennon

See memorandum attached in Choate
cases for exhibits, Alfred Allen et al
Dallie Allen et al Etc

End

1896 Chic 182

Original.

The State of Arkansas; Carroll County.

To all whom it may Concern

That I W C Russell of Green Forest, Ark. being duly Sworn according to law, deposes and says. that he is 53 years old.

That he is well acquainted with Sarah or Sally Allred, of Rule, Ark: have known her all my life, here in this county She is the wife of Laban Allred also she is a daughter of Pleasant Colbert, was well acquainted with the late Pleasant colbert, he was the father of Davis colbert and Davis colbert is alledged to be born upon the rolls of the Chickasaw Indians, have always in the past been taught that Pleasant Colbert was of the Chickasaw blood. and also his decendants,

W C Russell

Subscribed to and sworn to before me. this Aug 25 1899

J L Russell
Notary Public

Original.

State of Arkansas
County of Carroll }

being duly sworn
deposes and says. My name is David
Griffith. I am 62 years of age. My Post
office address is Pea Ridge Arkansas.
I am well acquainted with Sally.
Alred. who is an applicant for Citizenship
in the Chickasaw Nation, I have known
her for 50 years. I knew her father.
Pleasant. Colbert, and her mother.
Jennie. Colbert and her brothers.
William. Colbert. Davis. Colbert. and
John. Colbert. all are dead. but (Sally.)
or Sarah. Alred. Her maiden
name was. (Sally) or Sarah. Colbert.
She married Jabez. Alred. (Sally) or
Sarah Alred. is part Chickasaw Indian
by blood. She derives her said Chickasaw
Indian blood from. Pleasant Colbert.
who was a Chickasaw Indian by blood.
The Colbert family lived in Arkansas
for a number of years. Davis. Colbert.
left here and went to the Tribe of
Indians in the Territory where he
died. The said Colberts claimed to be
Indians. They talked a broken language
and looked like Indians.

Signed. David his + mark Griffith.

Subscribed and sworn to before me
at Little Rock Arkansas. this. 26.th day of
August A. D. 1896.

T. B. Bell. N.P.

Expiration of Office Nov 4-1897

Original.

State of Arkansas }
County of Carroll }

being duly sworn deposes and says My name is Alexander McCollough. I am 69 years of age. My Post Office address is Simmons Newton Co Arkansas. I am well acquianted with Sarah Alred who is an applicant for citizenship in the Chickasaw Nation of Indians. Sarah Alred maiden name was Sarah Colbert. I have known the said Sarah Alred for about 45 years she married Laben Alred in Carroll county Arkansas. I knew Davis Colbert a brother of hers. I lived a neighbor to the Colbert family for a number of years. I do not know just what time Davis Colbert migrated west. He left here and went in about Fort-Smith and from there to the Chickasaw Nation where I learned he died. I knew William Colbert. Wade Colbert Rufus Colbert John Colbert and Caroline Colbert. She married a Bonard who were all brothers and sister to Sarah Colbert Alred. I do not know where they all moved to when they left here.

his
Signed. Alexander + McCollough.
mark

Subscribed and sworn to before me
at Osage Arkansas. This 24th day
of August. A D. 1896.

T. B. Bell. N.P.

Expiration of Office Nov 4-1897

original.

State of Arkansas: Carroll county:-
To all whom it may concern.
Jesse Taber being duly Sworn according to Law, deposes and says. That his age is 74 years that his Post Office is Green Forest, Carroll County. State of Arkansas. and that he is well acquainted with Sarah (Sally) Allred of Rule, Carroll County, Arkansas have known her for 50 years. She is the Wife of Laban Allred, and (Sally) Sarah Allred is a daughter of Pleasant Colbert, and Pleasant Colbert is the father of Davis Colbert, who is Said is born upon the rolls, of the Chickasaw Indian tribe

I am not related to claimants who ~~are~~ are decendants of Pleasant Colbert, Am not interested in any of their claims Saught to be established

This August 25- 1896

J C McNemar
Bernice Foreman

Jesse Taber his + mark

Subscribed to and Sworn to before me
This Aug 25- 1896

W C Russell
Notary Public

Affidavit of Israel Cooper of Sans Bois County Choctaw Nation Ind. Ter. to be used in evidence as to the citizenship of Sally Allred

Israel Cooper being first duly sworn according to law deposes and sworn os follows: My name is Israel Cooper and my P.O. address is Sans Bois, Sans Bois county. Choctaw Nation Ind. Ter.. I am a citizen of the Choctaw nation, and a member of the Choctaw tribe of Indians by blood. I have lived here all my life, and am forty two years of age. I also a farmer by occupation. I knew Mavis Colbert in his lifetime. He has been dead several years. I was well acquainted with him before his death. I knew him fully his years of his life time. He lived near to me, perhaps about one mile from where I lived. I was intimately acquainted with him. He was a member of the Chickasaw tribe of Indians by blood. He had all the appearance of a Chickasaw Indian, and spoke the Chickasaw language very well. He always told me that he was a Chickasaw, and I know that he came from the Chickasaw nation when he came to this part of the Territory.

I saw him draw money about 15 or 20 years ago at McAlester, Ind. Ter. When there was a payment made there to the Chickasaw Indians.

Witness to mark Cooper's signature. Phios. S. Jones.

Israel Cooper

Subscribed and Sworn to before me this 21st day of October 1895.

J. H. Keesee
Notary Public

Original.

To the Honorable the Dawes Commission on
Citizenship in the Five civilized Tribes in
the Indian Territory.

Your petitioner, Mandy Reynolds. the
undersigned respectfully states that she is a
Chickasaw Indian by blood and asks to be
enrolled as a member of the Chickasaw Nation
of Indians in the Indian Territory. That she
derives her said Indian blood from Sally
or Sarah. Alred. her mother who was a
Chickasaw Indian by blood. Sally or
Sarah. Alred. was a daughter of Pleasant
Colbert, and a sister of Davis Colbert
and John. Colbert. who were Chickasaw
Indians by blood. Your petitioner states
the above facts as the lawful grounds of her
application for Citizenship in the Chickasaw
Nation and prays that her claim may be
fully investigated by your Honorable Com-
mission, and that she be adjudged to be a
Citizen of said Chickasaw Nation of Indians
and entitled to all the rights and privileges
pertaining to such Citizenship in accordance
with the laws and treaties with said Nation
of Indians. My age is 59 Years My
Post address is Rule Arkansas. My
Family consists of the following names persons

My husband and children as follows.
Robert L. Reynolds husband aged 39 years
Ross A. Reynolds child " 14 "
Willie L. Reynolds " " 10 "
Ada M. Reynolds " " 8 "
John C. Reynolds " " 6 "
Witness my hand this 26th day of August 96. her Mandy + Reynolds. mark

State of Arkansas.
County of Carroll } ss
Personally appeared before me the undersigned authority Mandy Reynolds to me known to be the petitioner in the above petition who being by me first duly sworn upon her oath says that she is the petitioner in the above petition that she has read (or heard the said petition and that the facts stated therein are true as she verily believes.

her
Mandy + Reynolds.
mark

Subscribed and sworn to before me at Eureka Arkansas this 26th day of August A. D. 1896.

F. B. Bell N. P.

Expiration of Office Nov 4-1897

Recorded

Original.

Rejected

To the Honorable the Dawes Commission
on Citizenship in the Five Civilized Tribes
in the Indian Territory.

Your petitioner, (Sally) or Sarah, Allred,
the undersigned respectfully states that
she is a Chickasaw Indian by blood, and
asks to be enrolled as a member of the
Chickasaw Nation of Indians in the Indian
Territory. That she derives her said
Indian blood from Pleasant Colbert,
her father, who was a Chickasaw
Indian by blood, and was a sister to
William, Davis and John, Colbert who
were Chickasaw Indians by blood.

Your petitioner states the above facts as the
lawful grounds of her application for
Citizenship in the Chickasaw Nation and
prays, that her claim may be fully investi-
gated by Your Honorable Commission and
that She adjudged to be a citizen of said
Nation of Indians and entitled to all the
rights and privileges pertaining to such
citizenship in accordance with the laws
and treaties with said Nation of
Indians. My age is 67 years My Post
Office address is Pauls Arkansas.
My family consits of the following named
persons. My husband and children as follows.

Saben. Alred. husband aged 83 years
Sarah. Ann. Alred. Wilson. a child " 49 "
Lane. Alred. Sutton. a child " 46 "
Malen. Alred. " " 44 "
Alfred. Alred. " " 38 "
Mandy. Alred. Reynolds. " 39 "
Alsen. Alred. a " 36 "
Lee. Alred. " " 29 "
Caldna. Alred. " " 42 "
Saben. " " " 30 "

Witness my hand this 26th day of August 1896

Sally. or Sarah. her + Alred
mark

State of Arkansas }
County of Garland } ss.

Personally appeared before me the undersigned authority Sally. or Sarah. Alred to me known to be the petitioner in the above petition who being by me first duly sworn upon her oath. says that she is the petitioner in the above petition. that she has read (or heard read) the said petition and that the facts stated therein are true as she verily believes.

Sally. or Sarah. her + Alred
mark

Subscribed and sworn to before me at Rule Arkansas. this 26th day of August A. D. 1896.

T. B. Bell. N.P.

Expiration of Office nov 4-1897

No. 5-08.

Sallie Allred,

vs

Chickasaw Nation

Filed Sept. 1st 1896.

U. S. Commissioner Court

Rule, Atty.

Officials

Affidavit of Joseph W. Coley to be used in evidence in behalf of Talley Allred.

Joseph W. Coley, being duly sworn according to law, deposes and says: My P.O. address is Sans Bois, Sans Bois County, Choctaw Nation, Ind. Ter. I am a member of the Choctaw tribe of Indians by blood, and am forty five years of age. I have lived here all my life, and am a farmer by occupation.

I know Travis Colbert in this life time. He has been dead about 10 or 12 years. I was intimately acquainted with him in his life time, for we did not live more than one mile apart. We lived right by each other for three years. I was acquainted with him for 10 years before his death. I am acquainted with the personal appearance of a Chickasaw Indian. He looked exactly like one. He spoke the Chickasaw language fluently. He came from the Chickasaw Nation when he came to this country. I saw him draw money at McAlester, Ind. Ter. some 20 years ago when the Chickasaws had a pay ment there. There were a great many Chickasaws at that pay ment. I think it lasted about one week. He drew the money because he was a member of that tribe of Indians.

Witness to his signature. Joseph W Coley

Phileo S. Jones

Subscribed and sworn to before me this 21st day of October 1895.

J.H. Neobern
Notary Public

No

Proof of service

Commission to the Five Civilized Tribes
Vinita Ind. Ter. 1896

I E S Burril do Solemnly Swear that on the 1st day
of Sept 1896 I Sent a Package registered at the

REGISTRY RECEIPT.

Post Office at Vinita I. T.
Registered ~~Letter~~ Parcel No. 218. Rec'd Sept 1, 1896
of Olson Alfred
Rule Ark
addressed to Gen Chickasaw Nation
Fishominco, I. T.
D. A. Frayser P.M.

rn Fishamingo
her die attached
contained Five
Sarah Alford
ent Alford.
Indian Blood. and

Winley.
llough.
Jessie Tabor.

and in Support of Same
E S Burril

Subscribed and Sworn to before me on this
1st Day of Sept 1896

W A Dobbs
Notary Public
My com Ex Mar 7th 1900

Commission to the Five Civilized Tribes
Vinita Ind. Ter. 1896

I E S Burril do Solemly Swear that on the 1st day of Sept 1896 I drew a Package registered at the Postoffice at Vinita I.T. addressed to the Governor of the Chickasaw ebetion Tishamingo Ind. Ter. that registry receipt #6 218 hereto attached is a receipt for said package which contained true copies of the Applications of Sally or Sarah Abrod Mealer Abrod. Alvon Abrod. Alfred Abrod. Amanda Reynolds. Caldona Abrod. Jabon Abrod. and Lee Abrod.

And of the Affidavits of Joseph Wimberly. Israel Cooper. Elexander McCullough. W C Russell. David Griffith. and Jesse Jabor.

And I am in Support of Same
E S Burril

Subscribed and Sworn to before me on this
14th Day of Sept 1896

W A Dobbs
Notary Public
My com Ex Mar 7th 1900

No. 1.8.7.

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Mandy Reynolds et al for
Enrollment in the Chickasaw
Nation.

--: Demurrer and Answer :--

Filed Oct. 21, 1896,

W. W. Jarman,
Sec.

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :

---o---

In the Matter of the Application for Enrollment in the Chickasaw Nation
for Mandy Reynolds Chad

---o---

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians?

WHEREFORE , It prays that said application be dismissed.

Third--For further special exception the Chickasaw Nation says that the application herein is not sufficient in that it shows that the applicant has not complied with the laws of the said Nation, and, therefore, is not entitled to any of the rights, privileges and immunities as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: MAY IT PLEASE THE COURT TO THE FIVE CIVILIZED TRIBES :--

---o---

In the Matter of the Application for Enrollment in the Chickasaw Nation of Mandy Reynolds et al

---o---

NOW COMES the Chickasaw Nation, by its attorneys, and, [illegible] waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Nation of Indians, presents this, its answer to said application, and for [illegible] fully represents :

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and always have been citizens of the United States; and that none of the applicants can show any evidence which shows conclusively to this Commission that they are entitled to enrollment in said Nation; it further allages the fact to be that the application of the petitioners herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained the exhibits hereto attached, and asks that they be considered a part of this answer

W H E R E F O R E , It prays that the application filed herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

Wm Weidenthal

Indian Territory,
Chickasaw Nation.) ss.

Before me, the undersigned authority, on this day personally appeared C. A. Burris, who being first duly sworn, deposes and says: My name is C. A. Burris; I am 67 years of age, and a Chickasaw Indian by blood; I came to this country with the Chickasaw Tribe of Indians from the state of Mississippi, in the year 1837, and have resided here ever since; I have been a member of the House of Representatives of the Legislature of the Chickasaw Nation; also Senator, District Judge, Supreme Judge, and was Delegate to Washington, this year, in the interest of the Chickasaws; I know, by tradition, that there were no full blood Chickasaw Indians by the name of "Colbert"; the way the name originated in the Chickasaw Tribe of Indians, was that Levi and George Colbert, two white men, married into the Chickasaw Tribe in the state of Mississippi; from them descended all the Chickasaws by the name of "Colbert"; I was, and have been for many years, well acquainted with all their descendants, except the younger members of the family, born in very recent years; Levi and George Colbert had some relations, who were white people, but who never married into the Chickasaw Tribe of Indians; I never heard of any "Colbert", who belonged to the Chickasaws, by the name of "Pleasant Colbert", nor by the name of "Davis Colbert", nor his sister, "Sallie Colbert", who claims to have married a man by the name of "Alred"; I believe that if any such personshad ever been members of the Chickasaw Tribe of Indians, I would have known them; or, at least, heard of them; I lived with Pitman Colbert, who was a son of George Colbert, and am perfectly familiar with all the family relations, who were members of the Chickasaw Tribe of Indians; I am confident, and I believe the facts to be, that the descendants, claiming through Colbert, other than Levi and George Colbert, are the white relations of the said George and Levi Colbert, but who had not become members of the Chickasaw Tribe of Indians; there never were

any Colberts, of Chickasaw Indian blood, except the descendants of Levi and George Colbert, as above stated.

E. A Bullis

Subscribed and sworn to before me on this the 23 day of October, A. D., 1896.

Wm Lewis

Notary Public.

No. 182

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Sallie or Sarah Alred et al
for Enrollment in the Chickasaw
Nation.

--: Demurrer and Answer :--

Filed Oct. 31, 1896.

H. M. Jayroway,

Clerk.

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation

of Sallie M Sarah Clark et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application herein is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights, privileges and immunities of a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Sallie or Sarah Alred et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents, this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and always have been citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the petition of the applicants herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached, and asks that they be considered as a part of this answer.

W H E REFORE, It prays that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

Wm Reed

Indian Territory,)
) ss.
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared C. A. Burris, who being first duly sworn, deposes and says: My name is C. A. Burris; I am 67 years of age, and a Chickasaw Indian by blood; I came to this country with the Chickasaw Tribe of Indians from the state of Mississippi, in the year 1837, and have resided here ever since; I have been a member of the House of Representatives of the Legislature of the Chickasaw Nation; also Senator, District Judge, Supreme Judge, and was Delegate to Washington, this year, in the interest of the Chickasaws; I know, by tradition, that there were no full blood Chickasaw Indians by the name of "Colbert"; the way the name originated in the Chickasaw Tribe of Indians, was that Levi and George Colbert, two white men, married into the Chickasaw Tribe in the State of Mississippi; from them descended all the Chicknsaws by the name of "Colbert"; I was, and have been for many years, well acquainted with all their descendants, except the younger members of the family, born in very recent years; Levi and George Colbert had some relations, who were white people, but who never married into the Chickasaw Tribe of Indians; I never heard of any "Colbert", who belonged to the Chickasaws, by the name of "Pleasant Colbert", nor by the name of "Davis Colbert", nor his sister, "Sallie Colbert", who claims to have married a man by the name of "Alred"; I believe that if any such personshad ever been members of the Chickasaw Tribe of Indians, I would have known them; or, at least, heard of them; I lived with Pitman Colbert, who was a son of George Colbert, and am perfectly familiar with all the family relations, who were members of the Chickasaw Tribe of Indians; I am confident, and I believe the facts to be, that the descendants, claiming through Colbert, other than Levi and George Colbert, are the white relations of the said George and Levi Colbert, but who had not become members of the Chickasaw Tribe of Indians; there never were

any Colberts, of Chickasaw Indian blood, except the descendants of Levi and George Colbert, as above stated.

L C Burris

Subscribed and sworn to before me on this the 23 day of October, A. D., 1896.

[illegible]

Notary Public.

End

1896 Chic 183

Original.

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory.

Your petitioner Alfred Allred the undersigned respectfully states that he is a Chickasaw Indian by blood, and asks to be enrolled as a member of the Chickasaw Nation of Indians in the Indian Territory. That he derives his said Indian blood from Sally or Sarah Allred his mother who was a Chickasaw Indian by blood Sally or Sarah Allred was a daughter of Pleasant Colbert and a Sister of Davis Colbert, who were Chickasaw Indians by blood. Her maiden name was Sally or Sarah Colbert. Your petitioner states the above facts as the lawful grounds of his application for Citizenship in the Chickasaw Nation and prays that his claim may be fully investigated by your Honorable Commission and that he be a Citizen of said Chickasaw Nation of Indians and entitled to all the rights and privileges pertaining to such Citizenship in accordance with the the Laws and treaties with said Nation of Indians. My age is 38 years My Post Office address is Rule Atkinson. My family consists of the following named.

persons. My wife a. & Children as follows.

C. L.	Alfred	wife aged	32	years
Virginia	Alfred	Child	" 11	"
Fanny	Alfred	"	" 9	"
John	Alfred	"	" 8	"
Hugh	Alfred	"	" 5	"
William	Alfred	"	" 3	"

Witness my hand this 26th day of August 1896

Alfred. Alfred

State of Arkansas,
County of Carroll, ss.

Personally appeared before me the undersigned authority, Alfred. Alfred to me known to be the petitioner in the above petition. who being by me first duly sworn upon his oath says that he is the petitioner in the above petition that he has read (or heard read) the said petition and that the facts stated therein are true as he verily believes.

Alfred. Alfred

Subscribed and sworn to me at
Rule Arkansas this 26th day of August 1896

T. B. Bell N.P.
Expiration of Office Nov 4-1897

Fee $1

No. 1.3.

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Alfred Alred et al for En-
rollment in the Chickasaw Na-
tion.

--: Demurrer and Answer :--

Filed Oct. 31, 1896,
W. W. Hammer,
Dep.

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Albert Alvord, et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, Itprays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the eveidence produced by the applicant is insufficient to show my daim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application herein is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights, privileges and immunities of a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Alfred Alred et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and always have been citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the application of the petitioners herein is entirely without foundation in fact or proof., The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached, and asks that they be considered a part of this answer.

W H E R E F O R E , It prays that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

Wm Neville

Indian Territory,)
) ss.
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared C. A. Burris, who being first duly sworn, deposes and says: My name is C. A. Burris; I am 67 years of age, and a Chickasaw Indian by blood; I came to this country with the Chickasaw Tribe of Indians from the state of Mississippi, in the year 1837, and have resided here ever since; I have been a member of the House of Representatives of the Legislature of the Chickasaw Nation; also Senator, District Judge, Supreme Judge, and was Delegate to Washington, this year, in the interest of the Chickasaws; I know, by tradition, that there were no full blood Chickasaw Indians by the name of "Colbert"; the way the name originated in the Chickasaw Tribe of Indians, was that Levi and George Colbert, two white men, married into the Chickasaw Tribe in the state of Mississippi; from them descended all the Chickasaws by the name of "Colbert"; I was, and have been for many years, well acquainted with all their descendants, except the younger members of the family, born in very recent years; Levi and George Colbert had some relations, who were white people, but who never married into the Chickasaw Tribe of Indians; I never heard of any "Colbert", who belonged to the Chickasaws, by the name of "Pleasant Colbert", nor by the name of "Davis Colbert", nor his sister, "Sallie Colbert", who claims to have married a man by the name of "Alred"; I believe that if any such personshad ever been members of the Chickasaw Tribe of Indians, I would have known them; or, at least, heard of them; I lived with Pitman Colbert, who was a son of George Colbert, and am perfectly familiar with all the family relations, who were members of the Chickasaw Tribe of Indians; I am confident, and I believe the facts to be, that the descendants, claiming through Colbert, other than Levi and George Colbert, are the white relations of the said George and Levi Colbert, but who had not become members of the Chickasaw Tribe of Indians; there never were

any Colberts, of Chickasaw Indian blood, except the descendants of Levi and George Colbert, as above stated.

E A Burris

Subscribed and sworn to before me on this the 23 day of October, A. D., 1896.

Wm Linaw

Notary Public.

End

1896 chic 184

TO THE HONORABLE DAWES COMMISSION:

Ex Parte Mary Ann Byrd et al

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION.

By Its Attorneys.

#1184

Ex parte

Mary Ann Byrd
et al

Demurrer

FILED SEPT. 30 1896. ☆
A. S. [illegible]

Declaration.
No. 4054
Descendants

John Henry Fox
Chickasaw
Indian deck

Filed 9 Sept 1896
W M Jacoway
Clk

Rejected

Indian

9828

Finlay
1896 Chickasaw Ct. Case No. 84

[illegible]

[illegible]

State of [illegible])
) ss.
[illegible] County.)

In the matter of the claim of)
Oliver P. Byrd, [illegible])
Indian allotment in the Kiowa) Application.
[illegible])
[illegible] Nation, being a descendant)
of [illegible] Tom.)

On this 7th day of September, 1901, personally

[illegible] before me, Oliver P. Byrd, who I am duly to be personally

known, and, who being by me first duly sworn according to

law deposes and says: that he was born in Van Buren County, State

of Iowa, Feb. 1, 1850. That his fathers name was Henry A. Byrd

and his mothers name Mary A. Byrd. That his mothers name before

she was married was Mary J. Roy, and was a daughter of John Roy

Sr., a son of Chickasaw Indian descent, who was an [illegible] of

the treaty of 1837, and under said treaty had land awarded him, the

same being of record at Washington.

That application is now made by his next friend father, to the

of John Henry Roy to the Dawes Commission for citizenship as

required by law and he refers to said application as the

same now on file therein and makes it a part of this application.

That his mother, Mary J. Byrd is living and now post office

address is Cedar, Indian Territory, and her claim is now on file

to which claimant refers and makes it a part of his application, to-

gether with the evidence on file therein.

That affiant is married and his wife's name is Bertha [illegible]. That

they have 3 children as follows: Carrie A. born May 7, 1877;

[illegible] ... June 4, 1931; Ozella ... born December 10, 1933; [illegible] ... born January 7, 1932 [illegible] ... born July 27, 1933, that all of said children [illegible] ... in the State of Iowa.

That [illegible] ... his ... for citizenship, ... [illegible] ... and ... that his said application be ~~said application~~ be granted and he prays said Court ... that such action to be taken as will secure sufficient ... to, ... and immunities ... said Chickasaw Nation ... [illegible] ... of said tribe of Indians ... [illegible] ... and that he may become ... with the privileges ... [illegible] ... and provided by law. ... also ... that he may become ... rights of said tribe.

P. M. Ashkelena

Nicie
John L. Byers
John C. Barr

Oliver Perry Byrd

Subscribed ... and subscribed in my presence by the ... this ... day of September, A. D. 1937.

M. R. Lacey
Mary Pullen
Richard A. Brown

POOR ORIGINAL -
BEST AVAILABLE COPY

Affidavit of

~~Baptist Powell~~

A. A. Taylor

Befor the Commission to
Five Civilized tribes
In Matter of the petition of
Mary Ann Byrd et al and
Supplemnty petition Nos 1 - 2 and 3
affidavit of ~~Baily Jones~~ A. A. Taylor
Personal appeard befor me the
undersigned Notary public at My
Office in Wapanucka Indian in
the Central Judicial district of the
Indian Territory on the 28th day
of Aug AD 1896 ~~Bailey Jones~~ A. A. Taylor
who having been by me First duly
sworn on his oath states that
He is 50 years of age that
He resides in Wapanucka I.T. that
He is acquainted with Palmer L Marley
Gov of Chickasaw Nation Indian Ter
a true Copy of the petition of
Mary Ann Byrd Nee Foay also a
true Copy of exhibits A & B. C. D.
E F G and A thereto attached
also a true Copy of the Supplemnty
petition thereto No 1 of Lycurgus
F Byrd and a Copy of exhibit
a thereto attached also a
true Copy of Supplemnty petition
thereto No 2 of Selden L Byrd

together with true copys of exhibits
A. B & and S then to attached
also a true copy of Supplementary
petition thereto No 3 of
Alberta Horton Nee Byrd
together with true copys of
exhibits A. B & and S then to
attached, that He has no interest
in prosecution of any of the claims

A A Taylor

Subscribed and Sworn to
before me this 28th
day of Aug A.D 1896

E. J. Ball
Notary Public
for the Central District
Ind Ter

Before the Commission to the five Tribes.

In matter of the claim of Mary Ann Byrd nee Fooy. and her grandson Burton O Smith to Citizenship in the Chickasaw Nation by blood. and of Perry M Byrd husband of Mary Ann Byrd nee Fooy to citizenship in the Chickasaw Nation by Intermarriage.

Petition.

Your petitioner respectfully represent.

1st that Mary Ann Byrd nee Fooy is a Citizen of the Chickasaw Nation by blood being the daughter of one John Henry Fooy. Sr. and having been heretofore recognized by the Chickasaw Nation and the United States in the year 1837 as will be seen by a certified copy of the Records of Selections and Location of Lands under treaty with the Chickasaw Indians in 1834 filed herewith made a part hereof and Marked "Exhibit A"

2nd that the said Mary Ann Byrd nee Fooy has been further partially recognized by the Court of Claims of the Chickasaw Nation as will be seen by Certificate of the Chairman of the Court of Claims of the Chickasaw Nation filed herewith made a part hereof Marked "Exhibit B"

3d That regardless of the matters set forth in paragraph number 2nd Mary Ann Byrd nee Fooy is the identical and same Mary Ann Byrd nee Fooy whose name appears as Mary Ann

Foay in the certified Copy Marked "Exhibit A"
and is therefore entitled to full recognition and
all rights and privileges of a Chickasaw Indian
by blood. being at this time an actual
Bona fide resident of the Choctaw Nation:
her Post office being Caddo I.T. See Exhibits A. B. C. D. E. F. G. H.

4 That Burton O. Smith is an heir of the
aforesaid Mary Ann Byrd nee Foay. being the son
of Arilda Smith whose maiden name was Byrd.
who was the daughter of the said Mary Ann Byrd
nee Foay. by her lawfully wedded husband Perry
Byrd. that said Burton O Smith is hence a
Chickasaw Indian by blood. and at this time
an actual resident of the Choctaw Nation
and as such entitled to full recognition and all
rights and privileges of a Chickasaw Indian
by blood. See "Exhibits 'G and H"

4 1/2 That Perry M Byrd is a white man a
citizen of the United States and was
married to the said Mary Ann Foay on the 9th
day of September 1841 in Trigg County Kentucky
and has continuously to the present date
resided and lived with the said wife
in lawful wedlock. that several years
since they attempted to procure a Certified
copy of the record of said Marriage and
were informed by letter now lost or
destroyed that said Records had been
destroyed by fire.

that the said Perry M Byrd is entitled to full
recognition and all rights and privileges
as an Intermarried Citizen of the Chickasaw

Nation &c Exhibits F. G. & H

Whereas Your Petitioners Mary Ann Byrd Mc Fairy and Burton O Smith pray that they & annis be enrolled as Citizens of the Chickasaw Nation By blood and I Perry M Byrd be enrolled as a citizen of the Chickasaw Nation by intermarriage as in duty bound your Petitioners will ever pray

Mary Ann Byrd
Perry M. Byrd
Bertain O Smith

Subscribed and Sworn to before me the 8th day of August 1896 by each of the three petitioners whose names above appear.

J. L. Roppolee
N. P.

6825

38863

Certificate

of

Mrs. M. A Byrd

"Exhibit C"

Dis'ommgo C. T.
Chickasaw Nation,
Feb. - 19 - 95,

Office of Court of Claims

This is to certify that Mrs. Mary A. Byrd nee, Doty Has presented her Abstract of Land drawn in Mississipi. And affidavits, proving her Identity. And we do declare that Mrs. Mary A Byrd and her heirs are Chickasaws by Blood And are entitled to all the rights and privilege.

Given under my hand this Feb. - 19 - th 1895,

Attest,
S. T. Peters
Clerk)

S. Harris
Chairman
Court of Claims,

"Exhibit C"

"Exhibit C"

State of Iowa,
Jefferson County) ss

I, William N. B. Spurlock of lawful age do solemnly swear that I am well acquainted with Mary Ann Byrd, maiden name Mary Ann Hoop and to the best of my knowledge and belief she is the daughter of John Henry Hoop Sr. deceased I have been acquainted with said Mary Ann Hoop and also her father in Pittsylvania County State of Arkansas some 60 years ago and it was generally understood throughout that Neighborhood that John Henry Hoop Sr. father of Mary Ann Hoop was of Indian Blood and was so recognised by the Neighborhood as such, and of Chickasaw Blood and said John Henry Hoop Sr always claimed to be of Chickasaw Blood on his Mother side of the house - and I further was well acquainted with all of the families Especially John Henry Hoop Jr. Brother to Mary Ann Byrd (Mary Ann Hoop) and said Mary Ann Byrd claims that she is Lawfully Entitled to all the annuity and all the Rights Belonging to the Heirs of said Indian Chickasaw Nation

William N. B. Spurlock

State of Iowa, Jefferson County) ss

On this first day of Feb A.D. 1890 personally appeared before the undersigned a Notary Public in and for Jefferson Co. Iowa, William N. B. Spurlock who being duly sworn says the above affidavit is true as he verily believes

Given under my hand and official Seal the day & year above written

William Brown Notary Public

"Exhibit C"

Affidavit
of
[illegible] B. Shattuck

ACRE TRACTS AND CITY LOTS, AT PRICES THAT WILL INSURE 100 PER CENT. PROFIT.

REAL ESTATE AND LOAN BROKERAGE.
COLLECTIONS, ABSTRACTS AND INSURANCE.
OFFICE: Second Story, Front Rooms West of Bank of Garnett

FROM 10 TO 20 PER CENT GUARANTEED TO
PARTIES DESIRING TO MAKE
SHORT TIME INVESTMENTS.

FIVE YEAR FIRST MORTGAGE LOANS ON
Improved Eastern Kansas Lands a Specialty
With Perfect Titles Ample Securities, Good Rates of Interest

WESTERN BUSINESS AGENCY.
W. H. MELLEN, Supt.

Garnett. Kan.. 12

"Exhibit D"

State of Kansas } ss
Anderson County }

I William Pinkney Powell, of lawful age, do solemnly swear that I am well acquainted with Mary Ann Byrd, formerly Mary Ann Foy, and to the best of my knowledge and belief, she is the daughter of John Henry Foy deceased, and is my half sister. That according to my mother's family record, the children of said John Henry Foy are namely: James Foy, Benjamin Franklin Foy, John Henry Foy, Mary Ann Foy and Missouri Catherine Foy. The three last named, I was personally acquainted with. The two first named James and Benjamin Franklin I never saw. That I have heard my mother say that said John Henry Foy, her first husband, lived in Coffeyville County Kansas, and that he was of Cherokee Indian race. That the rest of my brothers and sisters, all the children of said John Henry Foy are dead except said Mary Ann Byrd (now Mary Ann Byrd) and that she is the only living child of said John Henry Foy deceased.

Exhibit D.

William Pinkney Powell

Subscribed and sworn to before me this 23 day of Dec 1889. Allen County Notary Public

My Com. Expires Dec 7 - 1893

POOR ORIGINAL -
BEST AVAILABLE COPY

"Exhibit E"

Before me Ira Morris, a U.S. Commissioner in and for the Western District of Arkansas, at Muskogee, Creek Nation, Indian Territory, this 19th day of April 1893. personally appeared Mary Richey, who being first duly sworn deposes and says, my name is Mary Richey. I am 67 years of age I am a Cherokee Indian by blood and a citizen of the Chickasaw Nation by adoption, and have drawn money for myself and children with the Chickasaws. I was the wife of James C Fooy who was the son of John Henry Fooy who was a Chickasaw Indian, and the father of James A Fooy. Mary Ann Fooy, now Byrd. Benjamin F. Fooy, Missouri Adaline Fooy and John Henry Fooy 2nd. I know that all of the said children of John Henry Fooy received money and allotments of land as Chickasaws. I am well and personally acquainted with Mary Ann Byrd, who is 68 years old, and resides near Caddo, in the Choctaw Nation Indian Territory, and is a claimant to citizenship in the Chickasaw Nation. I know that she is the daughter of the said John Henry Fooy a Chickasaw Indian as aforesaid, his sole living heir and the identical Mary Ann Fooy who received allotments of land with the Chickasaws as aforesaid. And I further

state that I am not personally interested
in the prosecution of her claim for Citizenship.
Witness my hand this 19th day of April 1893.

Mary E. Richey

Sworn to and subscribed before me this
19th day of April 1893.

Fred S. Morris
U. S. Commissioner

"Exhibit E"

Mahaska County } ss.
State of Iowa }

Exhibit F

Perry M Byrd being duly sworn and of lawfull age solemnly sworn he is the lawfull husband of Mary Ann Byrd formerly Mary Ann Foody she being the daughter of John Henry Foody we were married on the 9th day of September 1841 in Trigg County State of Kentucky at that time there was five living heirs James Foody Benjamin Foody John Henry Foody. Mary A Foody Mesouria Adaline Foody all the heirs are now dead but Mary Ann Foody or now Mary Ann Byrd James Foody died in the State of Mississippi in 1851 Benjamin F Foody died the same day the same year and at the same place, Missouri Adaline Foody died in St Louis Mo in 1860 John Henry Foody died in Ottumwa Iowa in 1876. The above named were all the heirs of John Henry Foody Sr he died in Crittenden County Arkansas one year before the Treaty was made with the Cherokee and Chickasaw Indians. Her father John Henry Foody Sr

was part Chickasaw blood and That
Mary Ann Byrd is the only living
heir of John Henry Foody Sr.
The claims for the above named heirs
was laid by Catharine Foody and James Foody
Said James Foody was the eldest and half
Brother of the above named heirs

Perry M Byrd

Subscribed and Sworn to before me and in
my presence by Perry M Byrd at Oklahoma-
homa February 18th 1890 and I certify that I
acquainted the affiant with all the facts
in the above affidavit before he
Subscribed and sworn to The same told this
18th day of February 1890 W R Nelson
Notary Public

I F. E. Smith clerk of district Court in
and for Mahoska County Oklahoma hereby certify that
W R Nelson before whom the above acknowledgement
was made was at the time of acknowledgement
a Notary Public duly qualified for to take such acknowl-
edgements dated this 18th 1890 F E Smith
Clk Dist Court

POOR ORIGINAL -
BEST AVAILABLE COPY

Before the Commission to the five Tribes

In matter of the claim of Mary Ann Byrd
ann Fooy et al - to citizenship in the
Chickasaw Nation

Exhibit G

Affidavit of Perry M Byrd

Perry M Byrd having been by me first duly
sworn to tell the truth the whole truth and
nothing but the truth on his oath states
That his name is Perry M Byrd his age is
77 years old that he resides in the
Choctaw Nation that his Post Office is
Caddo I.T.
that he was married to his present living
wife Mary Ann Byrd ann Fooy in Trigg County
Kentucky on the 9th day of September 1841.
that he procured a licence at the time and
complied with all requirements of the law
and that the said Marriage was solemnized
by Rev Aaron Hodge a minister of the Gospel
now dead. that four or five years ago he
wrote to the County Clerk of Trigg County
Kentucky for a certified copy of the record
of said Marriage. and received in answer
a letter from said Clerk stating that the
said Records had been destroyed by fire
that said letter is lost or destroyed that
he has looked for it and can not find it.
That while living with the said Mary Ann
Byrd ann Fooy in lawful wedlock his said
wife Mary Ann Byrd ann Fooy has been
delivered of and gave birth to the following

Children namely Lycurgus. F. Byrd aged 54 years
who married Hannah Bennett. and is yet living and Orilda
Byrd who married Bruce Smith and during the
time she was living in lawful wedlock with
the said. Bruce Smith. gave birth to Burton O Smith
who is now living with the Affiant. and is 20 years of
Age nearly. Also Milton O Byrd aged 50 years who
married Martha Nippard and is yet living.
and Olliver P Byrd who is 46 years old and
who married Barbara Almeta Flick and is yet
living

That all of the petitioners Mary Ann Byrd and
Perry the Affiant Perry. M. Byrd and this
Grandson Burton O Smith are all actual Bona
fide residents of the Choctaw Nation.

Perry. M. Byrd

Subscribed and sworn to before me this
6th day of August 1896

D. L. Rappole
U S

Before the Commission to the Five Tribes

In matter of the claim of Mary Ann Byrd nee Tony et al to citizenship in the Chickasaw Nation.

Exhibit H

Affidavit of Mary Ann Byrd nee Tony

Mary Ann Byrd nee Tony having been by me duly sworn on her oath states that she is 72 years of age. that she resides near Caddo in the Choctaw Nation with her husband Perry M Byrd. that she was married to Perry M Byrd in Trigg County Kentucky on the 9th day of Sept 1896. by Rev Aaron Hodge. that four or five years ago Mr Perry M Byrd My husband wrote to the County Clerk of Trigg County Kentucky for a certified copy of the record of said Marriage and received in answer a letter from said Clerk stating that the records had been destroyed by fire. the letter is now lost and can not be found. that she remembers that Mr Perry M Byrd her husband procured a license for said marriage as she saw the same. and Record was returned to be recorded Since our Marriage and while we have lived together in lawful wedlock I have given birth to the following children of which Perry M Byrd is the father viz: Lycurgus T Byrd aged 54 years who married Hannah Bennett. Arilda Byrd (now dead) who married Bruce Smith and while living with him in lawful wedlock gave birth to my

Grandson Burton O Smith, aged 20 years nearly one of the petitioners
Also Milton O Byrd aged 50 years who married
Martha Phipps and Ollie P Byrd aged 46 who
married Barbara Almeta Fleck.

That each of the petitioners Burton O Smith
Perry M Byrd and the affiant Mary Ann Byrd
reside and are actual Bonafide residents of the
Indian Territory

Mary Ann Byrd

Subscribed and sworn to before me this 8th day
of August 1896

D. L. Roppole
N. P.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
ARCHIBALD S. MCKENNON,
THOMAS B. NEEDLES.
ALLISON L. AYLESWORTH, Secretary

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Muskogee, I.T., October 13, 1898.

Hon. Tams Bixby,
Acting Chairman,
Colbert, I. T.

Dear Sir:

As requested in your telegram of this date I enclose you herewith all papers in citizenship case No.184, Mary Ann Byrd (nee Fooy), et al, vs. Chickasaw Nation.

Very truly yours,

Secretary.

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
Of Mary Ann Byrd et al for En-
rollment in the Chickasaw Na-
tion.

--: A N S W E R :--

Filed Oct. 31, 1896,
H. M. Jacoway,
Secy.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

---o---

In the Matter of the Application for Enrollment in the Chickasaw Nation
of N. Mary Ann Byrd et al

---o---

Comes now the Chickasaw Nation, by its Attorneys, and, without waiving my exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and have at all times been, citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Commission that they are entitled to enrollment in said Nation: it further alleges the fact to be that the petition of the applicants is entirely without foundation in proof or fact. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits attached hereto, and asks that they be considered as a part of this answer.

W H E R E F O R E , It prays that the said application be dismissed, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

POOR ORIGINAL -
BEST AVAILABLE COPY

In the Matter of the Application for Enrollment in the Chickasaw Nation

of Mary Ann Byrd et al

-----o-----

Indian Territory,)
) ss. --: Affidavit of Overton Love :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared Overton Love, who, being first duly sworn, deposes and says: My name is Overton Love; I am a Chickasaw Indian by blood, and am 73 years of age; I came from the state of Mississippi in the year 1843, and have lived in the Indian Territory ever since that time; I have at different times held nearly all of the important offices under the Chickasaw governmen, with the exception of that of Governor; I have never seen or heard of Mary Ann Byrd, nee Fooy; or Delbert Byrd; or Lycurgas F. Byrd; or Alberta Horton, nee Byrd; or of any of their descendants claiming to be Chickasaws by blood or otherwise; while the Chickasaw Tribe of Indians were in Mississippi, a great many white men and women who had been friendly to the Indians were given lands, with the consent of the United States government; all the Indians who drew land at that time, (in 1834) had to have a certificate of their competency to ~~deed~~ sell the same, as shown by Article 4 of the Treaty of 1834.

Overton Love

Subscribed and sworn to before me on thie the 22nd day of October, A. D., 1896.

L. F. Adams

Notary Public.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Mary Ann Byrd et al

-----o-----

Indian Territory,)
) ss. --: Affidavit of Peter Maytubby :--
Chickasaw Nation.)

Before me, the undersigned authority, this day personally appeared Peter Maytubby, who, being first duly sworn, deposes and says: My name is Peter Maytubby; I am a Chickasaw Indian by blood, and am 59 years of age; I came to the Chickasaw Nation from Mississippi with the Chickasaw Tribes of Indians in 1837; for the last twenty years I have been taking the census of Chickasaws living in the Choctaw Nation; I have never seen or heard of Mary Ann Byrd, nee Fooy, or Delbert Byrd, or Lycurgas F. Byrd, or Alberta Horton, nee Byrd, or any of their descendants claiming to be Chickasaws and residing in the Choctaw Nation; my duties, when I had been taking the census, which have just been completed for the last time, were to look out and find everyChickasaw residing in the Choctaw Nation; each community was informed of my business and the dates when I would be there, and none of these parties ever have claimed to be Chickasaws by blood or otherwise, and have never applied to me to be enrolled as such; I believe I am acquainted with every Chikkasaw residing in the Choctaw Nation, and, as I have stated above, I never heard of the parties named.

Peter Maytubby

Subscribed and sworn to before me on this the 22nd day of October, A. D., 1896.

G. H. Adams

Notary Public.

WHEREAS, during the February and August sessions of the late Citizenship Committee of the Chickasaw Nation of 1895, said Committee did without any authority of law issue and give out certificates of citizenship to Mary Ann Byrd and family, Evans Hill and family, U. S. Johns and family, Mattie Chapman and family, J. H. Lee and family, W. M. McCarty and family, Daniel McDaffey and family, and Mrs. Amanda Jarvis and family and,

WHEREAS, Said Committee was not authorized or empowered by any law of the Chickasaw Nation to issue and give out such certificates to any person or persons whatsoever; but the law creating said Committee and giving it power to hear the evidence adduced in such citizenship causes, required that said Committee, at the adjournment of the August session, should send up to the Legislature of the Chickasaw Nation, which was to convene on the first Monday in Sept., 1895, a complete report of the proceedings of said Committee, which should be subject to the approval or rejection of the Legislature, before the same should have any legal force, and,

WHEREAS, The said Legislature did reject all claimants allowed by said Committee; and, therefore, the certificates now held by the above named parties and their families are worthless from the beginning, and is of no legal effect;

THEREFORE, Be it enacted by the Legislature of the Chickasaw Nation, That the certificates of citizenship now held by the above named persons and their families,--they being United States citizens,--be and the same is hereby declared null and void and of no legal effect as eg against the Chickasaw Nation: they having been issued unlawfully; and said parties for whose benefit the same was issued, are hereby declared to be not citizens of this Nation, and are not entitled to any rights in the Chickasaw Nation as citizens thereof; and said certificates are hereby declared not entitled to any credit or legal force, in this Nation, and this Act take effect from and after its passage.

Approved Oct. 28, 1895.

Recommended by M. V. CHEADLE. P. S. MOSELY, Governor.

Attest: L. C. BURRIS, Natl. Secty.

I, L. C. Burris, National Secretary of the Chickasaw Nation, do hereby certify that by virtue of my office, I am custodian of the laws and records of the Chickasaw Nation; that I have examined the above and foregoing, and know that the same is a true and correct copy and transcript of an Act of the Legislature of the Chickasaw Nation, as shown by the records in this office.

Witness my hand and seal of office on this the 15th day of October, A. D., 1896.

National Secretary,
Chickasaw Nation.

No 2

40104 | INDIAN OFFICE Indian Div. / | 1891.

Mary Ann Byrd nee
Fory et al
vs
Chickasaw Nation

Original Petition

In Connection with
Supplements No? 1-2-3

Filed Sept 2 / 1896
A. S. McKennon
Clerk

By

Hancock & Richards
Attorneys for Plffs
Caddo I.T.

"Exhibit A" Chek-R-27-

Department of the Interior,

OFFICE OF INDIAN AFFAIRS,

Washington, D. C., November 5, 1891

I, T. J. Morgan, Commissioner of Indian Affairs, do hereby certify that the paper hereunto attached is a true and literal excerpt copy from the allotments and sales of reserves under the Eighth and Eighth articles of the Chickasaw treaty of 1834

as the same appears of record in this Office.

T. J. Morgan
Commissioner.

Department of the Interior,

Washington, D. C., November 7th, 1891

I, Geo. Chandler, Secretary for the Department of the Interior of the United States of America, do hereby certify that T. J. Morgan, whose name appears signed to the foregoing certificate, is now, and at the time of signing the same, Commissioner of Indian Affairs, and that full faith and credit are due to his official acts as such. ~~and that the paper hereunto attached is a true and literal~~

~~as the same appears of record in this Department.~~

In testimony whereof, *I have hereunto set my hand and have caused the seal of said Department to be affixed on the day and year above written.*

Geo. Chandler
acting Secretary

Locations and Sales of Reserves under the 6th Article of the Chickasaw Treaty of 1834

No.	Names	Location: Part of Section	Section	T.	Range	When Approved	Sale: To Whom	Price	When Approved
1	James L. Perry	W½	19. S.	26	3 W.	July 27. 1837	Saffarrans & Johnson	536 37½	23. Feby. 1849. Delivered to Jos. Bryan 2 March 1849. by request of D. Saffarrans

Locations and Sales of Reserves under the 8th Article of the Chickasaw Treaty of 1834

No.	Names	Location: Part of Section	Section	T.	Range	When Approved	Sale: To Whom	Price	When Approved
197	Benj. F. Perry	W½	13	7	7 W.	July 27.-1837			
198	Mary Ann Perry	W½	16	9	5 W.	July 27.-1837			
199	Missouri A. Perry	E½	36	8	6 W.	July 27.-1837			
200	John M. Perry	N½	26	9	6 W.	July 27.-1837			
209	Mary	S½	9	13	7 E.	Nov. 12.-1844			

End

1896 Chic 185

Before the Commission to the five Civilized Tribes
In matter of the claim of Delbert L Byrd and his heirs Elmer L Byrd and Orinda E Byrd to citizenship by blood and of his wife Orinda B Byrd for right to citizenship by intermarriage in the Cherokee Nation Supplemental to the petition of Mary Ann Byrd nee Fogy et al

Petition.

Delbert L Byrd and his wife Orinda B Byrd for themselves and as the parents of their children Elmer L Byrd aged 17 yrs and Orinda E Byrd aged 14 yrs state that they the said Delbert L Byrd and the minor children Elmer L Byrd and Orinda E Byrd are Cherokee Indians by blood being the direct heirs of Mary Ann Byrd nee Fogy the original petitioner. Delbert L Byrd being a grandson and his said children being great grandchildren of the said Mary Ann Byrd nee Fogy.

That Orinda B Byrd is the lawfully wedded wife of the said Delbert L Byrd and a citizen of the Cherokee Nation by intermarriage, that this name was on said tribal rolls that they are actual residents of the Cherokee Nation. Wherefore they pray that the Commission to the five Tribes enroll them as citizens of the Cherokee Nation

Delbert L. Byrd

Orinda Belle Byrd

Subscribed and sworn before me this
12th day of August 1876
J. L. Stanerson
Notary Public

A

Before the Commission to the
Five Tribes

In matter of the claim of
Delbert L. Byrd and his wife
Elmer L. Byrd aged 4 years and
Orinda E. Byrd aged 2 years old,
And Orinda B Byrd nee Wright his wife
to Citizenship in the Chickasaw Nation

Affidavit of Orinda B Byrd

Orinda B Byrd having been by me
duly sworn by her oath states that
her name is Orinda B Byrd that her age
is 28 years, that she was married to her
present living husband Delbert L Byrd with
whom she is now living on the 25th day of
September 1891. that which living is lawful
wedlock with the said husband she has
been delivered of and joins with him the following
children namely Elmer L Byrd aged 4
years and Orinda E Byrd aged 2 years.
of which Delbert L Byrd is the father.
that the said children and their father
together with the affiant are now living
and reside about 7 miles South East
of Caddo in the Choctaw Nation,

Orinda B Byrd

Subscribed and sworn to before me this 12
th day of August 1896

J S Hagerty Jr
Notary Public

Ex Exhibit A

Affidavit of Delbert L Byrd

Delbert L. Byrd having been by me duly sworn on his oath states that his name is Delbert L Byrd. that his age is 27 years that he is a son of Lycurgus T Byrd whose mother is Mary Ann Byrd nee Fong. that he is an actual resident of the Choctaw Nation. Caddo is his Post Office. that he was married to his present living wife Ouida O Byrd with whom he is now living on the 20 th day of September 1891. that while living together in lawful wedlock she has given birth to three following children namely Elmer L Byrd aged 4 years and Ouida E Byrd aged 2 years that said children are both living together with his said wife Ouida O Byrd whose maiden name was Wright. about 7 miles south west of Caddo in the Choctaw Nation. on a farm

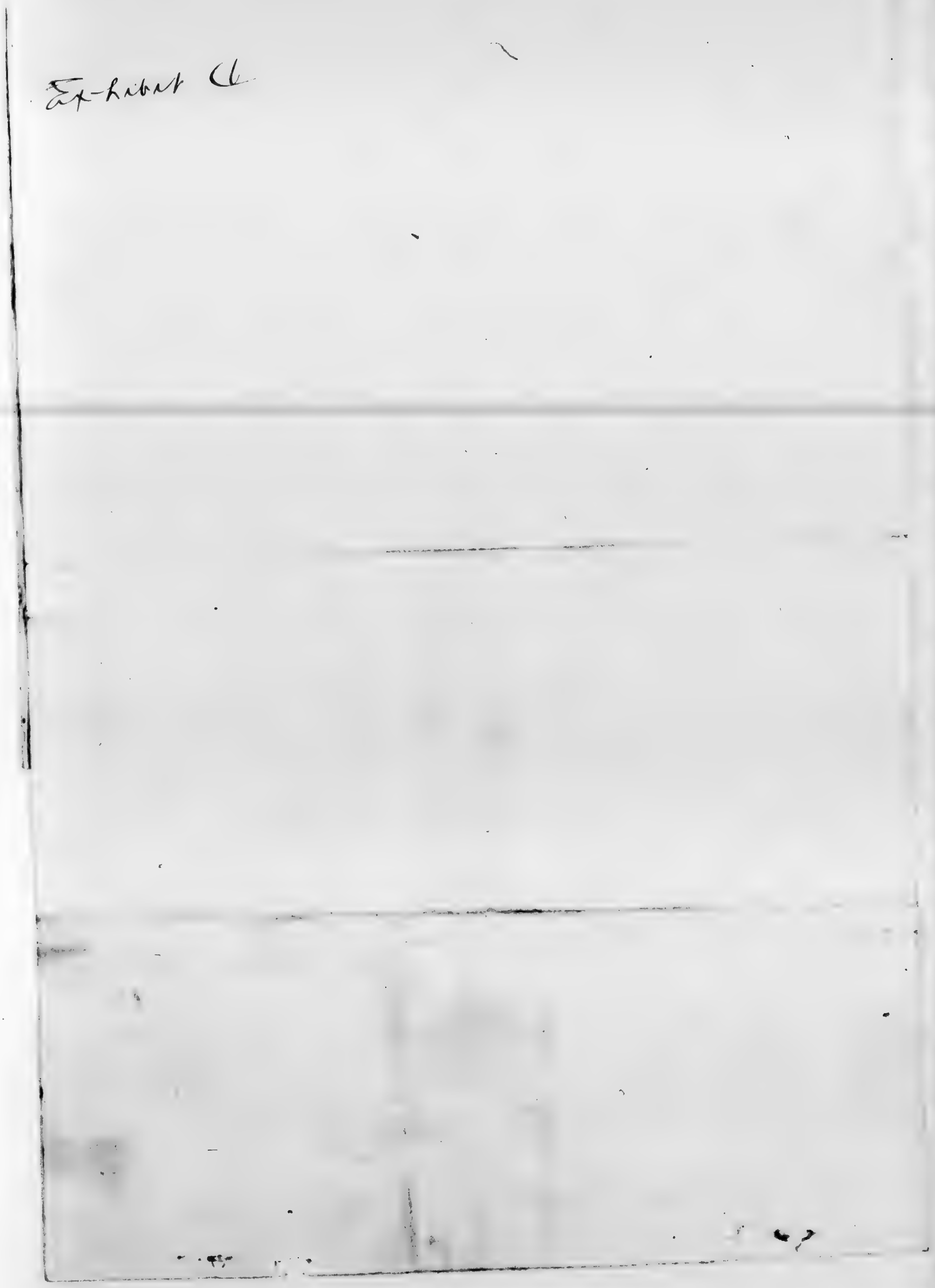
Delbert L. Byrd

Subscribed and sworn to before me this 12th day of August 92.

T. F. Hanevy
Notary Public

Exhibit B

Exhibit C



P. F. PETTIBONE & CO., LAW AND PUBLIC OFFICE STATIONERS, 90-92 ADAMS ST., CHICAGO

No. 201

MARRIAGE LICENSE.

United States of America,
INDIAN TERRITORY,
Judicial Division,

To any Person authorized by Law to Solemnize Marriage Greeting:

You are Hereby Commanded to solemnize the Rite and publish the Banns of Matrimony between Mr. [illegible] of [illegible] in the [illegible] aged [illegible] years, and Miss [illegible] of [illegible] in the [illegible] aged [illegible] years, according to law, and do you officially sign and return this License to the parties therein named.

Witness my hand and Official Seal, this [illegible] day of [illegible] A. D. 189[illegible]

Wm Nelson
Clerk of the U. S. Court.

By [illegible] Deputy.

CERTIFICATE OF MARRIAGE.

United States of America,
INDIAN TERRITORY,
Judicial Division, } ss.

I, J. D. Whitehead a regular ord. M. G.

Do Hereby Certify, that on the 20th day of Sept. A.D. 189[illegible], I did duly, and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

Witness my hand this 20th day of Sept. A. D. 189[illegible]

My credentials are recorded in the Office of the Clerk of the United States Court, Indian Territory, [illegible] Judicial Division, Book A, Page [illegible]

J. D. Whitehead
a regular Ord. M. G.

NOTE.—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court, in the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100).

CERTIFICATE OF RECORD.

United States of America,
INDIAN TERRITORY,
Seaand Judicial Division. } ss.

I, WILLIAM NELSON, Clerk of the United States Court in the Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office and duly recorded the 22 day of September A. D. 189[illegible], at 8 o'clock A.M. in Book A, Page 429

Witness my hand and seal of said Court at Ft. Smith in said Territory, this 22 day of September A. D. 189[illegible]

Wm. Nelson Clerk.

By [illegible] Deputy.

No. 5

Delbert L Byrd et al

vs

Chickasaw Nation

Supplemental Petition
to that of Mary
Ann Byrd nee Fox
No 2

Filed Sept 7 1896

Rejected

Hancock & Richards
Attorneys for Plffs
Ardmore I.T.

In matter of the Claim of Dilbert L Byrd
et al to Citizenship in the Choctaw
Nation

Affidavit of Hannah Byrd.

Hannah Byrd having been duly sworn
on her oath States that her age is 48
years. that she was married to Lycurgus
F. Byrd the 1st day of Nov. 1866
that she is a son of Mary Ann Byrd nee
Foxy who resides near Caddo Choctaw Nation
and claims citizenship in the Choctaw
Nation. that while living in lawful
wedlock with said Lycurgus F Byrd she has
been delivered of and given birth to the following
Children namely Dilbert L Byrd aged 27 years
the petitioner. and Albertha Horton nee Byrd aged 25
and James O.P. Byrd aged 19 years. Arilda
Byrd aged 17 years. Frank Byrd aged 13
years. and Arthur Byrd aged 11 years
~~that Dilbert L~~ of whom Lycurgus F Byrd
is the father. that Dilbert L Byrd has
resided in the Choctaw Nation for
Several years past and has a wife
and two Children.

Hannah Byrd
X

Subscribed and sworn to before me this
14th day of August 1896
W E Whittenberg
Notary Public

Exhibit A

No.....

Before the Honorable commission to the Five Civilized Tribes.

In the Matter of the Application of Delberty Byrd et al for Enrollment in the Chickasaw Nation.

--: A N S W E R :--

Filed Oct. 31, 1896.

T. W. Johnson,

Sec.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application For Enrollment in the Chickasaw Nation

of [illegible]

-----o-----

Comes now the Chickasaw Nation, by its Attorneys, and, without waiving any exceptions heretofore taken to the proceedings filed herein; and without confessing, and denying the jurisdiction of this honorable body to pass upon the question of citizenship in the Chickasaw Tribe of Indians, for reasons this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the said named herein as entitled to enrollment in the Nation [illegible] by living or otherwise, and was not each and all of them are now, and have at all times been, citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Commission that they are entitled to enrollment in said Nation: it further alleges the fact to be that the petition of the applicants is entirely without foundation in proof or fact. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits attached hereto, and asks that they be considered as a part of this answer.

W H E R E F O R E , It prays that the said application be dismissed, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application for Enrollment in the Chickasaw Nation

of _____

-----o-----

Indian Territory,)
) ss. --: Affidavit of Overton Love :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared Overton Love, who, being first duly sworn, deposes and says: My name is Overton Love; I am a Chickasaw Indian by blood, and am 73 years of age; I came from the state of Mississippi in the year 1843, and have lived in the Indian Territory ever since that time; I have at different times held nearly all of the important offices under the Chickasaw governmen, with the exception of that of Governor; I have never seen or heard of Mary Ann Byrd, nee Fooy; or Delbert Byrd; or Lycurgas F. Byrd; or Alberta Horton, nee Byrd; or of any of their descendants claiming to be Chickasaws by blood or otherwise; while the Chickasaw Tribe of Indians were in Mississippi, a great many white men and women who had been friendly to the Indians were given lands, with the consent of the United States government; all the Indians who drew land at that time, (in 1834) had to have a certificate of their competency to sell the same, as shown by Article 4 of the Treaty of 1834.

Overton Love

Subscribed and sworn to before me on thie the 22nd day of October, A. D., 1896.

_____

Notary Public.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation

of Delbert Byrd et al

-----o-----

Indian Territory,)
) ss.
Chickasaw Nation.)

--: Affidavit of Peter Maytubby :--

Before me, the undersigned authority, this day personally appeared Peter Maytubby, who, being first duly sworn, deposes and says: My name is Peter Maytubby; I am a Chickasaw Indian by blood, and am 59 years of age; I came to the Chickasaw Nation from Mississippi with the Chickasaw Tribes of Indians in 1837; for the last twenty years I have been taking the census of Chickasaws living in the Choctaw Nation; I have never seen or heard of Mary Ann Byrd, nee Fooy, or Delbert Byrd, or Lycurgas F. Byrd, or Alberta Horton, nee Byrd, or any of their descendants claiming to be Chickasaws and residing in the Choctaw Nation; my duties, when I had been taking the census, which have just been completed for the last time, were to look out and find every Chickasaw residing in the Choctaw Nation; each community was informed of my business and the dates when I would be there, and none of these parties ever have claimed to be Chickasaws by blood or otherwise, and have never applied to me to be enrolled as such; I believe I am acquainted with every Chickasaw residing in the Choctaw Nation, and, as I have stated above, I never heard of the parties named.

Peter Maytubby
Notary Public.

Subscribed and sworn to before me on this the 22nd day of October, A. D., 1896.

G. W. Adams
Notary Public.

WHEREAS, during the February and August sessions of the late Citizenship Committee of the Chickasaw Nation of 1895, said Committee did without any authority of law issue and give out certificates of citizenship to Mary Ann Byrd and family, Evans Hill and family, U. S. Joins and family, Mattie Chapman and family, J. H. Lee and family, W. M. McCarty and family, Daniel McDuffey and family, and Mrs. Amanda Jarvis and family and,

WHEREAS, Said Committee was not authorized or empowered by any law of the Chickasaw Nation to issue and give out such certificates to any person or persons whatsoever; but the law creating said Committee and giving it power to hear the evidence adduced in such citizenship causes, required that said Committee, at the adjournment of the August session, should send up to the Legislature of the Chickasaw Nation, which was to convene on the first Monday in Sept., 1895, a complete report of the proceedings of said Committee, which should be subject to the approval or rejection of the Legislature, before the same should have any legal force, and,

WHEREAS, The said Legislature did reject all claimants allowed by said Committee; and, therefore, the certificates now held by the above named parties and their families are worthless from the beginning, and is of no legal effect;

THEREFORE, Be it enacted by the Legislature of the Chickasaw Nation, That the certificates of citizenship now held by the above named persons and their families,--they being United States citizens,--be and the same is hereby declared null and void and of no legal effect as against the Chickasaw Nation; they having been issued unlawfully; and said parties for whose benefit the same was issued, are hereby declared to be not citizens of this Nation, and are not entitled to any rights in the Chickasaw Nation as citizens thereof; and said certificates are hereby declared not entitled to any credit or legal force, in this Nation, and this Act take effect from and after its passage.

Approved Oct. 28, 1895.
P. S. MOSELY, Governor.

Recommended by M. V. CHEADLE.

Attest: L. C. BURRIS, Natl. Secty.

-----o-----

I, L. C. Burris, National Secretary of the Chickasaw Nation, do hereby certify that by virtue of my office, I am custodian of the laws and records of the Chickasaw Nation; that I have examined the above and foregoing, and know that the same is a true and correct copy and transcript of an Act of the Legislature of the Chickasaw Nation, as shown by the records in this office.

Witness my hand and seal of office on this the 15th day of October, A. D., 1896.

National Secretary,
Chickasaw Nation.

End

1896 Chic 186

Nancrede & Richards
attys for Pet
Dallas Co

Before the Commission to the Five tribes

In matter of the Citizenship of Lycurgus F. Byrd et. al. in the Chickasaw Nation

Supplemental Petition to that of Mary Ann Byrd nee Fore

The petitioner Lycurgus F. Byrd states that he is a son of Mary Ann Byrd nee Fore.

That he is a Chickasaw Indian by blood and entitled together with his children to be enrolled as such

That his lawfully married wife Hannah Byrd is a citizen of the Chickasaw Nation by Marriage and entitled to be enrolled as such.

That his childrens names are

1 Delbert Byrd age 27 who with his family have herewith filed their supplemental petition
2 Albertha Horton nee Byrd who with her family has filed her supplemental petition herewith
3 James O. P. Byrd aged 19 years.
4 Arilda Byrd aged 16 years
5 Frank Byrd aged 13 years
6 Arthur L Byrd aged 12 years.

All of which are now living and direct decendants of Mary Ann Byrd nee Fore the original petitioner Wherefore your petitioner prays that they Lycurgus F. Byrd.

Delbert Byrd & family
Albertha Horton nee Byrd & family
James O. P. Byrd

Arilda Byrd
Frank Byrd and
Arthur L Byrd

to recieved as citizen of the Chickasaw Nation by blood and Hannah Byrd as a citizen of the said Nation by intermarriage

Lycurgus L Byrd

Subscribed and sworn to before me this 24 th day of August 1896

W E Whittenberg
Notary Public

Excerpt of
Chm Ex Com Min

No 186
Lycurgus F. Byrd
et al
Vs
Chickasaw Nation
Supplementary petition
to that of Illey
Ann Byrd of Nee
Forg No 1

Filed Sept
7-1894

Rejected

Exhibit A
Charter attached

No. 156
Supreme Court of Illinois
Chickasaw Nation
vs
Chickasaw Nation
Supplemental Petition
to Exhibit of Illinois
Case Docket for Mc
Term No. 1, Mc



THIS CERTIFIES THAT

The RITE of

Holy Matrimony

WAS CELEBRATED BETWEEN

Lycurgus F. Byrd of Oskaloosa

and Hannah Beisner of Des Moines

on the 14th of November at Norwalk

by A. Kerr M. D.

Witness J. Stiffler Witness Estes Wheeler

SKEEN & BALL,

—DEALERS IN—



Wapanucka, Ind. Ter., _____ *189*

Received of A. A. Lafler
applications for citizenship with
for the Chickasaw Tribe of Indians
the following named Parties,
Delbert Byrd
Lynn gus. H. Byrd
Mary ann Byrd nee Hoog
Alberthe Hester nee Byrd
May 28th 1896

P. I. Mosely, Gov.
C. N.

No.....

Before the Honorable Commission
to the Five CivilizeedTribes

In the Matter of the A plication
of Lycurgas F. Byrd et al for
Enrollment in the Chickasaw
Nation.

--: A N S W E R :--

7. Ind Ter. 31, 1896.

H. M. Jacoway
Sec'y.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application For Enrollment in the Chickasaw Nation of Lycurgus et. Boyd et al

-----o-----

Come now the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; but adhering to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and have at all times been, citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Commission that they are entitled to enrollment in said Nation: it further alleges the fact to be that the petition of the applicants is entirely without foundation in proof or fact. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits attached hereto, and asks that they be considered as a part of this answer.

W H E R E F O R E , It prays that the said application be dismissed, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application for Enrollment in the Chickasaw Nation of Lycurgus F. Byrd et al

-----o-----

Indian Territory,)
) ss. --: Affidavit of Overton Love :--
CHickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared Overton Love, who, being first duly sworn, deposes and says: My name is Overton Love; I am a Chickasaw Indian by blood, and am 73 years of age; I came from the state of Mississippi in the year 1843, and have lived in the Indian Territory ever since that time; I have at different times held nearly all of the important offices under the Chickasaw governmen, with the exception of that of Governor; I have never seen or heard of Mary Ann Byrd, nee Pooy; or Delbert Byrd; or Lycurgas F. Byrd; or Alberta Horton, nee Byrd; or of any of their descendants claiming to be Chickasaws by blood or otherwise; while the Chickasaw Tribe of Indians were in Mississippi, a great many white men and women who had been friendly to the Indians were given lands, with the consent of the United States government; all the Indians who drew land at that time, (in 1834) had to have a certificate of their competency to ~~xxxx~~ sell the same, as shown by Article 4 of the Treaty of 1834.

Overton Love

Subscribed and sworn to before me on thie the 22nd day of October, A. D., 1896.

[illegible]
Notary Public.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation of Lycurgus F. Byrd et al

-----o-----

Indian Territory,)
) ss.
Chickasaw Nation.)

--: Affidavit of Peter Maytubby :--

Before me, the undersigned authority, this day personally appeared Peter Maytubby, who, being first duly sworn, deposes and says: My name is Peter Maytubby; I am a Chickasaw Indian by blood, and am 59 years of age; I came to the Chickasaw Nation from Mississippi with the Chickasaw Tribes of Indians in 1837; for the last twenty years I have been taking the census of Chickasaws living in the Choctaw Nation; I have never seen or heard of Mary Ann Byrd, nee Fooy, or Delbert Byrd, or Lycurgas F. Byrd, or Alberta Horton, nee Byrd, or any of their descendants claiming to be Chickasaws and residing in the Choctaw Nation; my duties, when I had been taking the census, which have just been completed for the last time, were to look out and find everyChickasaw residing in the Choctaw Nation; each community was informed of my business and the dates when I would be there, and none of these parties ever have claimed to be Chickasaws by blood or otherwise, and have never applied to me to be enrolled as such; I believe I am acquainted with every Chickasaw residing in the Choctaw Nation, and, as I have stated above, I never heard of the parties named.

Peter Maytubby

Notary Public.

Subscribed and sworn to before me on this the 22nd day of October, A. D., 1896.

L. F. Adams

Notary Public.

WHEREAS, during the February and August sessions of the late Citizenship Committee of the Chickasaw Nation of 1893, said Committee did without any authority of law issue and give out certificates of citizenship to Mary Ann Byrd and family, Evans Hill and family, W. T. Johns and family, Mattie Chapman and family, J. M. Lee and family, W. M. McCarty and family, Daniel McMurtrey and family, and Mrs. Amanda Jarvis and family and,

WHEREAS, said Committee was not authorized or empowered by any law of the Chickasaw Nation to issue and give out such certificates to any person or persons whatsoever; but the law creating said Committee and giving it power to hear the evidence adduced in such citizenship causes, required that said Committee, at the adjournment of the August session, should send up to the Legislature of the Chickasaw Nation, which was to convene on the first Monday in Sept., 1893, a complete report of the proceedings of said Committee, which should be subject to the approval or rejection of the Legislature, before the same should have any legal force and,

WHEREAS, The said Legislature did reject all claimants allowed by said Committee; and, therefore, the certificates now held by the above named parties and their families are worthless from the beginning, and is of no legal effect;

THEREFORE, Be it enacted by the Legislature of the Chickasaw Nation, That the certificates of citizenship now held by the above named persons and their families,--they being United States citizens,--be and the same is hereby declared null and void and of no legal effect as any against the Chickasaw Nation; they having been issued unlawfully; and said parties for whose benefit the same was issued, are hereby declared to be not citizens of this Nation, and are not entitled to any rights in the Chickasaw Nation as citizens thereof; and said certificates are hereby declared not entitled to any credit or legal force, in this Nation, and this Act take effect from and after its passage.

Approved Oct. 28, 1893
Recommended by W. V. [illegible]. P. P. [illegible], Governor.

Attest: L. C. HARRIS, Natl. Secty.

I, L. C. Harris, National Secretary of the Chickasaw Nation, do hereby certify that by virtue of my office, I am custodian of the laws and records of the Chickasaw Nation; that I have examined the above and foregoing, and know that the same is a true and correct copy and transcript of an Act of the Legislature of the Chickasaw Nation, as shown by the records in this office.

Witness my hand and seal of office on this the 15th day of October, A. D., 1894.

National Secretary,
Chickasaw Nation.

POOR ORIGINAL -
BEST AVAILABLE COPY

End

1896 chic 187

Alsmitha Horton
Nee Byrd 1886
vs
Chickasaw Nation.

Supplementary
Petition to that of
Mary Ann Byrd
et Nee Doody No 13

Filed Sept 7-1896

Rejected

Hancock & Richards
attys for Plaintiffs

Before the Commission to the Five Tribes

In matter of the claim of Albertha Horton nee Byrd et al to citizenship in the Chickasaw Nation. Supplemental to petition of Mary Ann Byrd nee Perry

Petition

Albertha Horton nee Byrd and John Horton her husband for themselves and their children petitioners State

That Aildo Horton nee Byrd is the daughter of Lycurgus F. Byrd. who was the son of Mary Ann Byrd nee Perry.

That she is a Chickasaw Indian by blood and entitled to enrollment as such

That John Horton is his lawful husband and as such entitled to be enrolled as a citizen of the Chickasaw Nation by Intermarriage

That during this lawful wedlock have been born to them heirs of their bodies the following children namely

William A. Horton aged 2 years

Allies F. Horton aged 9 mos.

both now living. and residing with their parents aforesaid in the Choctaw Nation near Caddo.

Wherefore they pray that this minor be enrolled as citizens of the Chickasaw Nation by blood nee John Horton. and that his minor be enrolled as a citizen of the Chickasaw Nation by Intermarriage

John Horton
al Bertha Horton

Subscribed and sworn to before me
this 2. d day of august 1896
J S Hancock
Notary Public

Before the Commission to the five Civilized Tribes
Supplement to the petition of Mary Ann Byrd nee Fox
for enrollment of the claims of Mrs Albertha Horton
nee Byrd and her minor children William A Horton
and Oliver T Horton - to citizenship by blood and of
her husband James Horton to citizenship by
intermarriage.

Affidavit of Hannah Byrd.

Hannah Byrd having been first duly sworn on her
oath states that her age is 48 years
that she is the wife of Lycurgus T Byrd that
Lycurgus T Byrd her husband is a son of Mary
Ann Byrd nee Fox the original petitioner above named
that while living in lawful wedlock with
her husband Lycurgus T Byrd she gave birth
to the following children by him namely
Dillard Byrd aged 27 years Albertha Byrd aged 23 years
who married John Horton and has two children by
him. James O.T. Byrd aged 19 A.M. Byrd aged 17
years and Franklin Byrd aged 13 years and
Arthur Byrd aged 11 years. all of which
are living. that Albertha (Byrd) Horton and
her husband John Horton are living near
Caddo in the Choctaw Nation

Hannah Byrd

Subscribed and sworn to before me
this 14 day of August 1896

W E Whittenburg
Notary Public

Exhibit A

POOR ORIGINAL -
BEST AVAILABLE COPY

Affidavit of Albertha Horton

Albertha Horton having first by me duly sworn to tell the truth the whole truth and nothing but the truth on her oath States That her name is Albertha Horton. that her age is 23 years. that she is the lawful wife of John Horton to whom she was married on the first day of Sept 1892 and with whom she is now living. that her maiden name was Albertha Byrd. that she is a daughter of Lycurgus F. Byrd who is the son of Mary Ann Byrd see Ivey.

That while living in Lawful wedlock with her husband aforesaid she has given birth to the following children of John Horton her said Husband namely

William A Horton aged 2 years
Allen F Horton aged 7 mos

all now living with their parents near Cuddo in the Choctaw Nation

Al Al Bertha Horton

Subscribed and sworn to before me this 24 st day of August 1896

J S Hancock
Notary Public

Exhibit B

POOR ORIGINAL -
BEST AVAILABLE COPY

Affidavit of John Horton

John Horton Loving him by me first duly sworn to tell the truth the whole truth and nothing but the truth on his oath states that his name is John Horton that his age is 42 years.

that he is the lawful husband of Albertha Horton nee Byrd Loving married him on the 1st day of September 1892 and having never been divorced from her.

that while living with her in lawful wedlock she has borne to him the following children his of his body, namely William A Horton aged 2 years and Ollie T Horton aged 9 mos all now living together with their parents near Caddo Choctaw Nation

John Horton

Subscribed and sworn to before me this 22 day of August 1896

J S Lancaster
Notary Public

Exhibit C

POOR ORIGINAL -
BEST AVAILABLE COPY

Cádiz. Incl. No.

POOR ORIGINAL -
BEST AVAILABLE COPY

Exhibit C

No. 107

Marriage License.

United States of America,
INDIAN TERRITORY,
Second *Judicial Division,* } ss.

To Any Person Authorized by Law to Solemnize Marriage—Greeting:

YOU ARE HEREBY COMMANDED to solemnize the Rite and publish the Banns of Matrimony between Mr. John Horton *of* Caddo *in the* Choctaw Nation *aged* 38 *years, and* Miss Bertha Byrd *of* Caddo *in the* Choctaw Nation *aged* 20 *years, according to law, and do you officially sign and return this License to the parties therein named.*

WITNESS my hand and Official Seal, this 27th *day of* August *A. D. 1892*

Marshall L Bragdon
CLERK OF THE U. S. COURT.

BY R J Gehrig DEPUTY.

Certificate of Marriage.

United States of America,
INDIAN TERRITORY,
Second *Judicial Division,* } ss.

I, Rev Chas E Hatchkin
a Minister of the Gospel

DO HEREBY CERTIFY, that on the 12th *day of* Sept *A. D. 1892 I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.*

WITNESS my hand this 12th *day of* Sept *A. D. 1892*

My credentials are recorded in the Office of the Clerk of the United States Court, Indian Territory, Second Judicial Division, Book A *, Page* 138

Rev Chas E Hatchkin
a J C Mallory

NOTE.—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court in the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100).

PHOENIX PRINTING CO. MUSKOGEE.

CERTIFICATE OF RECORD.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
2nd Judicial Division. } ss.

I, MARSHALL L. BRAGDON, Clerk of the United States Court in the Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 17 day of Sept A. D. 1892, at 8 o'clock A M., and duly recorded in Book B, Page 393.

Witness my hand and seal of said Court at Mc Alester in said Territory, this 17 day of Sept A. D. 1892

Marshall L Bragdon *Clerk.*

By R J Gehrig *Deputy.*

No.....

Before the Honorable Commission

to the Five Civilized Tribes.

In the Matter of the Application

of Albertha Horton et alffor

Enrollment in the Chickasaw

Nation.

--: A N S W E R :--

Fld Oct. 31, 1896,

H. W. Jamison,

Sec'y.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

---o---

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Elizabeth Horton et al

---o---

Comes now the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and have at all times been, citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Commission that they are entitled to enrollment in said Nation: it further alleges the fact to be that the petition of the applicants is entirely without foundation in proof or fact. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits attached hereto, and asks that they be considered as a part of this answer.

W H E R E F O R E , It prays that the said application be dismissed, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Alberta Horton et al

-----o-----

Indian Territory,)
) ss.
Chickasaw Nation.)

--: Affidavit of Peter Maytubby :--

Before me, the undersigned authority, this day personally appeared Peter Maytubby, who, being first duly sworn, deposes and says: My name is Peter Maytubby; I am a Chickasaw Indian by blood, and am 59 years of age; I came to the Chickasaw Nation from Mississippi with the Chickasaw Tribes of Indians in 1837; for the last twenty years I have been taking the census of Chickasaws living in the Choctaw Nation; I have never seen or heard of Mary Ann Byrd, nee Fooy, or Delbert Byrd, or Lycurgas F. Byrd, or Alberta Horton, nee Byrd, or any of their descendants claiming to be Chickasaws and residing in the Choctaw Nation; my duties, when I had been taking the census, which have just been completed for the last time, were to look out and find everyChickasaw residing in the Choctaw Nation; each community was informed of my business and the dates when I would be there, and none of these parties ever have claimed to be Chickasaws by blood or otherwise, and have never applied to me to be enrolled as such; I believe I am acquainted with every Chikkasaw residing in the Choctaw Nation, and, as I have stated above, I never heard of the parties named.

Peter Maytubby

Notary Public.

Subscribed and sworn to before me on this the 22nd day of October, A. D., 1896.

Geo. H. Adams

Notary Public.

In the Matter of the Application for Enrollment in the Chickasaw Nation

of Ulbey, Thos. Horton & Co.

-----o-----

Indian Territory,)
) ss. --: Affidavit of Overton Love :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared Overton Love, who, being first duly sworn, on oath deposes and says: My name is Overton Love; I am 73 years of age; I am a Chickasaw Indian and reside in the Chickasaw Nation; I came here from the State of Mississippi, where I was born, and raised until grown, and came to the Indian Territory in 1843, and have lived here with the Chickasaws and Choctaws ever since that time; I am familiar with the Chickasaws by blood and have had much to do with the business affairs of the Government of the Chickasaw Nation; I have been District Judge, Delegate to Washington, D. C., member of the Legislature, and have held many other important offices under said Government; I have been intimately acquainted with the Colbert family ever since I can remember, and in Mississippi, before I came to this country; I never saw or heard of a Colbert who was a full-blood Chickasaw; The older members of the family were white men, who married Chickasaws; I never knew or heard of a "William" Colbert or "Bill Colbert, who was a Chickasaw; the only person I ever knew by the name of "Bill" Colbert was a negro; I don't know whether he is living now or not; I never knew or heard of any of the applicants herein, or of any Chickasaws by their names; I am satisfied that if there had ever been a "William" Colbert, of "Bill" Colbert, who was a Chickasaw, or who had married a Chickasaw, I would have known him, or heard of him.

Overton Love

Subscribed and sworn to before me on this the 23rd day of October, A. D., 1896.

Wm Lands

Notary Public.

WHEREAS, during the February and August sessions of the late Citizenship Committee of the Chickasaw Nation of 1895, said Committee did without any authority of law issue and give out certificates of citizenship to Mary Ann Byrd and family, Emma Hill and family, U. S. Johns and family, Mattie Chapman and family, J. M. Lee and family, W. M. McCarty and family, Daniel McDuffey and family, and Mrs. Amanda Jarvis and family and,

WHEREAS, Said Committee was not authorized or empowered by any law of the Chickasaw Nation to issue and give out such certificates to any person or persons whatsoever; but the law creating said Committee and giving it power to hear the evidence adduced in such citizenship causes, required that said Committee, at the adjournment of the August session, should send up to the Legislature of the Chickasaw Nation, which was to convene on the first Monday in Sept., 1896, a complete report of the proceedings of said Committee, which should be subject to the approval or rejection of the Legislature, before the same should have any legal force, and,

WHEREAS, The said Legislature did reject all claimants allowed by said Committee; and, therefore, the certificates now held by the above named parties and their families are worthless from the beginning, and is of no legal effect;

THEREFORE, Be it enacted by the Legislature of the Chickasaw Nation, That the certificates of citizenship now held by the above named persons and their families,--they being United States citizens,--be and the same is hereby declared null and void and of no legal effect as any against the Chickasaw Nation; they having been issued unlawfully; and said parties for whose benefit the same was issued, are hereby declared to be not citizens of this Nation, and are not entitled to any rights in the Chickasaw Nation as citizens thereof; and said certificates are hereby declared not entitled to any credit or legal force, in this Nation, and this Act take effect from and after its passage.

Approved Oct. 26, 1895.

Recommended by M. V. GUARDIA. P. M. MORELY, Governor.

Attest: L. C. HARRIS, Natl. Secty.

I, L. C. Harris, National Secretary of the Chickasaw Nation, do hereby certify that by virtue of my office, I am custodian of the laws and records of the Chickasaw Nation; that I have examined the above and foregoing, and know that the same is a true and correct copy and transcript of an Act of the Legislature of the Chickasaw Nation, as shown by the records in this office.

Witness my hand and seal of office on this the 15th day of October, A. D., 1896.

National Secretary,
Chickasaw Nation.

POOR ORIGINAL -
BEST AVAILABLE COPY

End

1

1896 chic 188

66

No. 1885

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Jno. C. Bradshaw

VS.

Chickasaw Nation.

Received and filed this ..... day of

189..

.....

Secretary.

SENATOR JOB PRINT FORT SMITH

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Jno. C. Bradshaw vs. Chickasaw Nation, as follows:

Application & Evidence	
Answer " "	
Certified Cpy. entries & judgments	

WITNESS my hand and official seal at Tenduccon

this the 5 day of Oct. 189 7

Jos. W. Phillips
Clerk

#66

Jno. C. Bradshaw

vs 1885

Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

Jno. C. Bradshaw

No. 189 *vs.*

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of Jno. C. Bradshaw to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 4 day of December, 1897.

Jos. W. Phillips *Clerk.*

WHEREBY it plainly appears that the petitioner is not entitled to the benefits and privileges as a citizen.

And petitioner, upon information and belief, avers that the reason for the refusal of the Commissioner to issue a passport to him was because petitioner refused to subscribe to the following oath required by the Commissioner:

"I am not a bigamist nor a polygamist nor an anarchist; I am not a believer in the practice of bigamy or polygamy; I am not a member of any organization that entertains a belief in or teaches the practice of bigamy or polygamy; I am not a member of any organization that entertains a belief in or teaches the overthrow by force or violence of the Government of the United States or of all forms of law; I am not coming to the United States for any immoral purpose; I am not a contract laborer; I am not an anarchist; I am not a person who believes in or advocates the overthrow by force or violence of the Government of the United States or of all forms of law; I am not a member of any organization that entertains a belief in or teaches the overthrow by force or violence of the Government of the United States or of all forms of law; I am not coming to the United States for any immoral purpose; I am not a contract laborer; I am not an anarchist; I am not a person who believes in or advocates the overthrow by force or violence of the Government of the United States or of all forms of law; I am not a polygamist nor a believer in the practice of polygamy; and I am not coming to the United States for any other purpose or purposes inconsistent with the laws regulating the issuance of passports; that I have come to the United States with the bona fide intention of residing therein, and that I intend to return to the United States after the expiration of my passport from the country to which application is made for the visé of this passport."

Petitioner, upon information and belief, avers that the reason for the refusal of the Commissioner to issue a passport to him was because petitioner refused to subscribe to the following oath required by the Commissioner:

"I am not a bigamist nor a polygamist nor an anarchist; I am not a believer in the practice of bigamy or polygamy; I am not a member of any organization that entertains a belief in or teaches the practice of bigamy or polygamy; I am not a member of any organization that entertains a belief in or teaches the overthrow by force or violence of the Government of the United States or of all forms of law; I am not coming to the United States for any immoral purpose; I am not a contract laborer; I am not an anarchist; I am not a person who believes in or advocates the overthrow by force or violence of the Government of the United States or of all forms of law; I am not a member of any organization that entertains a belief in or teaches the overthrow by force or violence of the Government of the United States or of all forms of law; I am not coming to the United States for any immoral purpose; I am not a contract laborer; I am not an anarchist; I am not a person who believes in or advocates the overthrow by force or violence of the Government of the United States or of all forms of law; I am not a polygamist nor a believer in the practice of polygamy; and I am not coming to the United States for any other purpose or purposes inconsistent with the laws regulating the issuance of passports; that I have come to the United States with the bona fide intention of residing therein, and that I intend to return to the United States after the expiration of my passport from the country to which application is made for the visé of this passport."

TO THE HONORABLE JAMES COMMISSION:

Ex parte J. C. Bradshaw

188

Petitioner.

WHEREBY it plainly appears that the petitioner is not entitled to the benefits and privileges as a citizen.

And petitioner, upon information and belief, avers that the reason for the refusal of the Commissioner to issue a passport to him was because petitioner refused to subscribe to the following oath required by the Commissioner:

"I am not a bigamist nor a polygamist nor an anarchist; I am not a believer in the practice of bigamy or polygamy; I am not a member of any organization that entertains a belief in or teaches the practice of bigamy or polygamy; I am not a member of any organization that entertains a belief in or teaches the overthrow by force or violence of the Government of the United States or of all forms of law; I am not coming to the United States for any immoral purpose; I am not a contract laborer; I am not an anarchist; I am not a person who believes in or advocates the overthrow by force or violence of the Government of the United States or of all forms of law; I am not a member of any organization that entertains a belief in or teaches the overthrow by force or violence of the Government of the United States or of all forms of law; I am not coming to the United States for any immoral purpose; I am not a contract laborer; I am not an anarchist; I am not a person who believes in or advocates the overthrow by force or violence of the Government of the United States or of all forms of law; I am not a polygamist nor a believer in the practice of polygamy; and I am not coming to the United States for any other purpose or purposes inconsistent with the laws regulating the issuance of passports; that I have come to the United States with the bona fide intention of residing therein, and that I intend to return to the United States after the expiration of my passport from the country to which application is made for the visé of this passport."

FILED

TO THE HONORABLE DAWES COMMISSION:

Ex Parte J. L. Goodshaw -

Comes now the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E, It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

End

1896 chic 189

H 1114

No. 189 20

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

W. D. Carson

VS.

Chickasaw Nation.

Received and filed this ... *day of*

... 189...

... ...
Secretary.

ELEVATOR JOB PRINT FORT SMITH.

FILED
FEB 7

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

M. V. Carson vs. Chickasaw Nation, as follows:

Application & Evidence
Rec's " "
Certified Copy. entries
& Judgment

WITNESS my hand and official seal at Ardmore

this the 25 day of Feby, 1897

Jos. W. Phillips
Clerk

#114 - ~~#96~~ 189

M. D. Carson et ob

vs

Chickasaw Nation

FILED

FEB 19 1901

Jas. L. Curtis

Returned by
mistake J

In the United States Court, in the Indian Territory,
Southern District, at Ardmore.

M. S. Carson et al

No. 114 vs.

Chickasaw NATION.

Notice of Appeal.

To the Honorable Henry L. Dawes, Chairman of the Commission of the United States, to the Five Civilized Tribes of Indians.

SIR:—You are hereby notified that an appeal has been granted in the matter of the application of M. S. Carson et al to be enrolled as members of the Chickasaw Tribe of Indians from your Commission to the United States Court, for the Southern District, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in trial and consideration of said cause.

WITNESS the HONORABLE C. B. KILGORE, Judge of said Court, and the seal thereof, at Ardmore, Indian Territory, this 27 day of Jan, 1897.

Joan Keeling CLERK.

End

1896 Chic 190

This day personally appeared
before the undersigned authority
Jonas Christian who after by me
first duly sworn says that on the
2nd day of Sept 1896. he affixed
delivered in person to Geo Palmer
Mayor at his home in the Chickasaw
Nation a true copy of the
application of Mrs J.A. Calhoun
for citizenship &c. in the Chickasaw
Nation together with a true copy
of the affidavits of Hannah Williams
Joseph B Cram. & E. Calhoun and
Pat Hagg Neale.

Sworn to and
subscribed before G.H. Christian
on this 4th day of
Sept ~~Aug~~ 1896.

C.H. Barnett
Notary Public
Pontotoc District

Affidavit of
Hermitage Williams

Before me D. J. Corpening
for said District this 2nd day
a Notary Public on this day
personally appeared H. Williams
who being duly sworn on
oath says, Mr. Diane is Reynolds
Williams and I am about 70
years old. I live on Cold Water
River Roanoke Indian and
I was well acquainted with
Martha Jane Kirkendall.
She was a Cherokee and Indian
who came over to this Country
with the first tribe of Indians
that came from the old Country
Martha Jane Kirkendall Monroe
a white man by the name of
Sizzigo Mitchell by whom
she had one daughter
Harriet Jane Mitchell
She was married to a whiteman
by the name of Joseph McD
Kenny and by him had issuing
one son by the name of
Thos. Allen Kenny. I know
Thos. Allen Kenny well.
And know him to be the
Grandson of Martha

Jane Kirkendall affiant says that
he does not know when
said Allen Henry Morgan
nor does he know when
he died.

Sworn to and
subscribed before
me this 25th day of
Aug. 1896.

his
Phoenicia Williams
mark

D. J. Carpenter
Notary Public
in and for South District of Ind. Ty.

South District

Application of
Mrs. J. C. Cobbam.
for Appropriation
in the Chickasaw
Nation

1896

Filed Sept 7-1896

Application
Denied

To the Honorable the Dawes.
Commission

Your Petitioner
Mrs. S.E. Calhoun would
respectfully State to your
Honorable Body that in the
year 1877 the Gibsonnia with
Thos. Allen Henry a Member
of the Chickasaw Tribe of Indians
Had the Marriage ceremony legal
according to the customs of
the Chickasaw Indians That her
said Husbands Grand mother
was a Chickasaw Indian
whose Maiden Name was
Martha Jane Kirkendall
that Her Grandmother after
the came over from the old Country
Married a White man by
the name of Lyman Mitchell
by whom she had one child
Hearyet Jane Mitchell that
her Husbands Mother Hearyet
Jane Mitchell Married a man
by the name of Joseph M Henry
by whom she had one child
Thos. Allen Henry to whom

year. Petitioner was legally
married in the year 1867
according to the customs of the
Chickasaw Tribe of Indians
Your Petitioner further states
that his said husband died
in the year 1884
leaving the following named
Children Jno. C. C. Kenny
Allen L. Kenny Oscar D.
Kenny and Thos. Mitchell
Kenny Your Petitioner states
the family records of the husbands
ancestors has been lost or
destroyed that all the knows
of her husband's ancestral
lineage is from the traditions
of the family Your Petitioner
further states that the after her
first husband's death
of his Grand Mother Harriet
Jane Kirkendall as a Chickasaw
Indian that she came over to
the Indian Territory and settled
in the Chickasaw Nation among
the first immigrants of the tribe

Tribe of Indians

The foregoing Complainant your Petitioner for on behalf of her four minor Children above named together with your Petitioner be enrolled as citizens of the Chickasaw Tribe of Indians unless in the Judgment of your Honorable Body the subsequent Marriage of your Petitioner with J. L. Calhoun in the year 1893 said Calhoun being a citizen of the United States excludes your Petitioner from Citizenship in which event she prays your Honorable Body to enroll her said minors the offspring of her said husband as members of the Chickasaw Tribe of Indians.

Sworn to and Subscribed before me this 24th day of Aug 1896

Notary Public

S. E. Calhoun

SOUTHERN JUD. DIST. I. T.

of his Aunt of
Jas B Green

Chickasaw Nation
Southern District

Before the undersigned authority
this day personally appeared
Joseph B Grigsby who being
duly sworn says. Hat. I am
sixty years old. I know the
Kirkendalls in the Chickasaw Nation
I know Martha Jane Kirkendall
she was a Chickasaw Indian
but lives in the Choctaw Nation
at the time of her marriage
I know her Grandpa
Thos. Allen Herring. but
I do not know his
Mother. I recollect well
when he married Miss
S. E. Hendry mine Mrs J. C.
Cockburn. I do not know
they were married but know
they lived together as husband
& wife. I have been living
in the Chickasaw Nation
for a long Time. and know
a great many of the old settlers

Sworn to and
subscribed before
me this 25th day of August 1896

Jas B. Grigsby

Southern District

D. J. Carpenter
Notary Public
in and for South. District of Ind. T'y.

Affixed Aug 7
Jas B Thum

Office Copy
Patent
Heath

Hester. Chickasaw Nation
Indian Territory

This day personally before
the undersigned Authority
Pastor Neal who after
being by me. first duly
sworn says. Holmes by nativity
a Choctaw Indian. born in
Miss about the Jear. 1829. and
came to the Choctaw Country
with the first Tribe of Indians
that came to the Indian Territory
I was well acquainted with
Martha Jane. Kirkman nee
She was a Chickasaw Indian
but came over to this Country
with the Choctaws She came
over to Choctaw Country
from the old Country with
the same party of Indians
She came with me. and
I met her after. and knew
her well. She was married
to a whiteman by the name
of Simon Mitchell about
the Year. 1853. The marriage was
according to the customs of the

Cherokee Indians by their
Marriage Martha has one
child. Harriet Jane Mitchell
Negress married a man by
the name of Joseph M. Henry
Cherokee or about the year 1849.
and soon after Dide leaving
one child. Thos Allen
Henry I knew him well
both by sight & report. and
know him to be the Grandson
of Martha Jane Parkinson
but I do not know when
he married or to whom the
child. Patsey her + mark Hall

Sworn to and
subscribed before
me this 24 day
of Aug. 1896.

J. W. Childers Notary Public
For the Southern district of
Cherokee Nation

Off the Asset of
Mrs. J. C. Calhoun

Chickasaw Nation I.T.
July 28th 1894

This day personally appeared before the undersigned authority Mrs. S. E. Calhoun who after being by me first duly sworn says that she is the wife of A. Calhoun of whom says after on the 4th day of Feb 1877. in the State of Ark she married Allen Henry by whom she had seven children. All of whom are now living with affiant. Their names are as follows ~~[illegible]~~ John E. C. Henry Allen B. Henry. Oscar L. Henry Thos Mitchell Henry. Hal. Their husband died in the year 1888 the 8th day of Feb. Affiant further states that she does not know of her own knowledge anything of her husbands Thos Allen Henrys Genealogy except the family traditions. He often spoke of his Grandmother Morota Jane Kirkendall as a Choctaw Indian who came west of the Mississippi River with the first Indians who came from Miss to the Choctaw Country. That affiant knows nothing of the ancestry of her husband on his Mothers side except what the

Information wanted, about in the family records which have been lost or mislaid.

Sworn to and S. E. Calhoun
subscribed before
me this 28th day
of July 1894

J. J. Childers
Notary Public
Southern Division

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Mrs. S. E. Calhoun et al
for Enrollment in the Chickasaw
Nation.

--: A N S W E R :--

Filed Oct. 31, 1906,
W. W. Jarman
Sec'y.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Mrs. J. E. Calhoun et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application herein, and says that the same is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For further and special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it does that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any rights,privileges and immunities as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

---o---

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Mrs. J. E. Calhoun et al

---o---

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment ~~xx~~ in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and always have been, citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the application of the petitioners herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained the exhibits hereto attached, and asks that they be considered a part of this answer.

W H E R E F O R E , It prays that the application herein be dismissed, and that all of the applicants be ~~xxx~~ rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application for Enrollment in the Chickasaw Nation of ~~xxxxxxxxxxxx~~ Mrs. S. E. Calhoun.

-----o-----

Indian Territory,)
) ss. --: Affidavit of C. A. Burris :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared C. A. Burris, who, being first sworn, deposes and says: My name is A. C. Burris; I am 67 years of age, and am a Chickasaw Indian by blood I came to this country with the Chickasaw Tribe of Indians from the state of Mississippi in the year 1837, and have lived here ever since; I have been a member of the House of Representatives of the Legislature ~~xxxxxx~~ ~~xxxxxxxxxx~~ of the Chickasaw Nation; also a Senator; District Judge, Supreme Judge, and was this year a Delegate to Washington in the Interest of the Chickasaw Nation; i never knew a Chickasaw by the name of "Jane Kuykendall", or an intermarried Chickasaw by the name of "Simon Mitchell" and think if there had ever been any such persons, I would have known of them, or at least have heard of them.

C. A. Burris

Subscribed and sworn to before me on this the 24th day of October, A. D., 1896.

Wm Lewis
Notary Public.

End

1896 chic 191

(1)

Ardmore - Dickens County C. N.

To the Honorable Dawes Commission
Muskogee I. T.

Now comes Oscar Casey and says that he is the son of William Casey who married Jennie Thomas a Chickasaw woman in the state of Tennessee many years ago, and that he appeared before the Court of Claims at Tishomingo C. N. in August 1895 for the purpose of establishing his rights to citizenship in the Chickasaw Nation. The court was composed of the following named Gentlemen - C. A. Burris - Josiah Brown and W. T. Rowland all were appointed and commissioned by D. M. Wolfe Governor of the Chickasaw Nation, under an act of the legislature approved December 28th 1894.

And further says - that on

compliance with the said law the said sum of Fifty dollars the amount charged against claimant who made application for citizenship before the said court of claims.

And further says that he was informed by the court of Claims that it was not necessary to produce witnesses before the court. That affidavits would answer every purpose. On the last day of sitting of said court, he demanded an investigation of his claim to citizenship, and produced the affidavits of Susan Brown & N. Boyce, two full-blooded Indians, and the affidavits of F. M. Miner and of Mrs Jessie Ann Casey his mother. With all of these proofs the court of Claims refused to give him a hearing. but refered the case to the legislature which rejected his claim without hearing a one word of his testimony. A copy of the

affidavit and receipt for the
Moneys is hereto attached.

And further says that his family
consists of his mother Temperate
Ann Casey - Scott Casey
Rosina Casey. Mrs Elmira
Harlow - Curtis Casey - Mrs Eddie
Erwin, and ~~Himself~~ himself.

He therefore prays your honors
to examine the testimony in
his case, and do what you think
is just and right in the
premises, believing that after
a thorough investigation of the
evidence you will decide that
the heirs of William and Temperance Casey
are members of the Choctaw Nation
tion of Indians, and are
justly entitled to be enrolled as
such. Signed Oscar his X mark Casey

Subscribed and sworn to before me
this 6th day of August 1896

A. H. Stevens
Notary Public
Central District Ind Ter.
Good Land I. T.

Office of Court of Claims

Wyoming D.T.
O.K.
Aug - 24 1895

Motion made and Carried that the case of Oscar Scott Casey and H.B. Howard be passed over to the Legislature. For the want of the two witnesses required by the law produced by the Secretary this Morning

Attest
R. Nuckolls
Clerk

E.W. Burris
Chairman
Co. C.

Received of Oscar Scott Emery $50.00 for the Court of Claims for the establishment of their case of citizenship.

Attest
R. F. Nichols
Clerk

Ch. Bruce
Chairman.

C. of C.

Said County told me this before
I told him what I had heard
George Thomas say, this
Witness S. W. Payne
J. E. Williams

Subscribed & sworn to before me
on this 19 day of Aug. 1875
W. H. Rivers.
Notary Public

D. Richards
S. W. Payne

Pichomungo Chickasaw
Nation Indian Ter.
My Name is W. S. Cayo. -
Age 73 years. my post-
Office address is Goodland
Ind. Ter.
I knew George [illegible]
in Mississippi I also
knew him Often we came
To This Country I came in
[illegible] George Thomas Came in
1836 or 1837 I think —
George Thomas stood that
he was an Indian by blood,
I have often heard George
Thomas speak of his Father
being a blacksmith. but
I never knew his Father, —
Scott [illegible] Came to my
house near Goodland I. T,
I understand - that Dave
Rahuck sent him to see
me for information about
his people or kindfolks. -
He ask me if I knew
I never by the name of
George Thomas I told him
that I did And that he went
to California

Then Scott Casey told me that
he was a nephew of this George
Thomas. He also told me
that his mother was named
Tempie Thomas and was a sis-
ter to George Thomas. And that
Tempies Father was a white man
and a blacksmith by Trade
Scott Casey Told me this before
I told him what I had heard
George Thomas say This
Witness S. W. Casey
J. E. Williams Mark

Subscribed and sworn to before me
on This 19 day of Aug. 1895
Wm. Rivers.
Notary Public

Dr. Davis
Fee
S. W. Casey

Tishomingo County
Chickasaw Nation
Indian Territory } Before me
W. M. Lucas Notary Public in and
for the Third Judicial Division & ~~Judicial~~ Southern Judicial District
personally came Susan Brown
who was by me duly sworn and who
testified as follows!
My name is Susan Brown
I am a Chickasaw by blood and my
age is. About 80 Years,
I was born in Mississippi on Bear creek
and came To This Country in 1836 or 1837
I had Tenpie Thomas, I married
her brother who was my first husband
Tenpie Thomas married and went to
to some State, I often heard my
husband speak of Tenpie she married
A white man and we heard of her
one time Tenpies mother was a
full blood Chickasaw and her father
was a white man (and a blacksmith
by trade) (Bighouse Family)
Tenpie Thomas had 3 Brothers Viz
Jim Thomas, George Thomas, Robert
Thomas.
Chickasaw } her
W. M. Lucas. } Susan + Brown
mark
Sworn and subscribed to before me
on this 8 day of Aug 1895.
I do certify to which I have hereunto set
my hand and seal of Office
W. M. Lucas N.P.

LEGHORN ABSTRACT
FROM GEO. D. BARNARD & CO.,
ST. LOUIS, MO.

Questions to be asked ~~in writing~~ by Notary.

1st What is your name? How old are you? Where were you born? What nation do you belong to? Of what blood are you, Indian or not?

2nd What are the names of your children and where are they now living?

3rd Where are Oscar and Scott and what are they doing now?

4th In what year did you move from the old States and who did you move with?

5th Are you a Chickasaw Indian?
6th Are you a Chickasaw by blood?
7th What was your father's name?
8th Have you any brothers named Thomas?
9th Was your mother a full blood Chickasaw woman?

The State of Texas,
County of Lamar

Answers and declaration
of Tenisha Ann Casey under examination in
Lamar County Texas before the Grand
Jury duly sworn to answer the interrogatories
to attached.

Question 1st Tenisha Ann Casey:
To the first Interrogatory She answered
Her name is Tenisha Ann Casey. I am in my
twenty sixth year. Was born in the State of
Mississippi I belong to the Cherokee Nation
I am a citizen there
To the 2nd She answers
Casey Casey who lives in Lamar County Texas
Rosina Casey who lives in Polk County Texas
Mrs Elmira Hudson deceased whose she
then lived in Choctaw Nation Indian Territory
Scott Casey who lives in Choctaw Nation
Indian Territory. Curtis Casey who lives in
the Choctaw Nation. Wade Collin Casey who
lives in Lamar County Texas.
To the 3rd She answers
South Bear Casey Mississippi Fishhawk
Chickasaw Nation looking after their mother
right as a Cherokee.
To the 4th She answers.
I moved from Mississippi in 1858 with my
husband William Casey
To the 5th She answers.
Yes Sir
To the 6th She answers—
I am
To the 7th She answers
My Postoffice name is as Thomas.

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

Subscribed and sworn to before me this
[illegible] day of August, A.D. 1894.

[illegible]
Notary Public
Lamar County, Texas

The State of Texas
Lamar County } I, [illegible], a Notary Public in and for Lamar County, Texas, do hereby certify that the above and foregoing instrument of writing was filed for record in my office on the [illegible] day of August, A.D. 1894, at [illegible] o'clock [illegible] M., and duly recorded on the [illegible] day of [illegible] A.D. 1894, at [illegible] o'clock [illegible] M., in the Deed Records of said County.

Witness my hand and Official Seal of Office this August 7th 1894

[illegible]
Notary Public
Lamar County, Texas

POOR ORIGINAL -
BEST AVAILABLE COPY

County of Tishomingo Indian Territory } ss

Before me W. M. Lucas

a Notary Public at Tishomingo within and for the Southern Division, personally came F. W. Miner who on oath deposes and says that he has known Oscar Casey and Scott Casey for more than twenty five years; that he only knows their blood as other races are distinguished; they have always been known as Indians and he was informed and believes that they are Chickasaws by blood, but has no other means of knowledge than their general reputation as such. He further states that they are quiet industrious men and worthy of citizenship among any people but are ignorant, can neither read nor write, have the misfortune to be poor in spite of their scrupulous honesty.

I further state that I have no interest in the result of their application for recognition as Chickasaw citizens

F. W. Miner

Subscribed [illegible]

[illegible]

No. ~~386~~

Oscar Coyse

vs

Richard Nation

Filed Aug. 31-1896
A. S. McKennon
Clerk

Oscar Coyse
Appellant Denied

Recived of R. C. Boyd a copy of the application of Oscar Casey P. O. to the Dawes Commission for Citizenship in the Chickasaw Nation, and also copies of the affidavits of ~~[illegible]~~ Boyce, Orsan Brown, Jumpie Ann Casey, and F. W. Munier. In support to same this 27th day of August 1896

D. S. Mosely.

Governor of the Chickasaw Nation

End

1

1896 Chic 192

#30
#192 D.

Mary Ellis

vs

Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

Mary Ellis

No. 192 vs.

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of Mary Ellis to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 4 day of ~~December~~ Jan, 1897.

Josw. Phillips *Clerk.*

#30

No. 192 D

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Mary O'Ellis

VS.

Choctaw & Nation.

Received and filed this day of

189

Secretary.

ELEVATOR JOB PRINT FORT SMITH.

FILED
FEB 4 1897
U.S.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Mary E. Ellis vs. Chickasaw Nation, as follows:

Application & Evidence
Answer " "
Certified Copy entries
& judgment

WITNESS my hand and official seal at Ardmore

this the 5 day of Feby 1897

Jos. W. Phillips
Clerk

End

1896 chic 193

#62

No. 1935

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

T. H. East

VS.

Chickasaw Nation.

Received and filed this day of

189

Secretary.

GLOBATOR JOB PRINT, FORT SMITH

FILED
FEB 3 1897
Clerk.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

T. H. East vs. Chickasaw Nation, as follows:

application & Evidence	
answer " "	
Certified Copy entries	
& judgment	

WITNESS my hand and official seal at Atoka

this the 5 day of Feby 1897

Jos. W. Phillips

Clerk

#62
#193
T. H. East
vs
Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

J. H. East

No. 193 vs.

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians—*

SIR: You are hereby notified that an appeal has been granted in the matter of the application of J. H. East to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 4 day of ~~December~~ Jan, 1897.

Jos. W. Phillips *Clerk.*

IN THE MATTER OF THE CHICKASAW NATION'S application for an allotment of land as an orphan child under section 22 of the Act of April 26, 1906 (34 Stat. 137).

Come now the Chickasaw Nation, by and through its duly authorized attorney, and the applicant herein, and move the Commission to enter an order dismissing the application of the applicant herein for an allotment of land as an orphan child under section 22 of the Act of April 26, 1906 (34 Stat. 137).

Dismissed.

Dismissed without prejudice.

ANDERSON, Commissioner.

Entered in Journal No. 3, page 96.

Copy to applicant.

ANDERSON, Commissioner.

The Commission is in receipt of a motion filed herein by the Chickasaw Nation and the applicant herein, through their attorneys of record, to dismiss the application of the applicant herein for an allotment of land as an orphan child under section 22 of the Act of April 26, 1906 (34 Stat. 137).

It appears to the Commission that said motion should be sustained and that said application should be dismissed without prejudice.

It is therefore ordered by the Commission that the application of the applicant herein for an allotment of land as an orphan child under section 22 of the Act of April 26, 1906 (34 Stat. 137), be, and the same is hereby, dismissed without prejudice.

Dismissed

TO THE HONORABLE DAWES COMMISSION:

Ex Parte J. N. Cash et al

Comes now the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim to citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E , It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that said application is insufficient in that the same shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

End

1896 Chic 194

Application for Enrolment.

Before the United States Commission to the Five Civilized Tribes of Indians.

W. C. Ellis, Petitioner,
vs.
Chickasaw Nation, Indian Territory,
Respondent.

Application for Admittance and Enrolment.

To the above named on. Commission:

W. C. Ellis, your petitioner, alleges that he is a member of the Chickasaw Nation or tribe of Indians, by marriage?

That on the fourth day of November, 1894, he was legally married to Mary Elizabeth Kemp, who was a member of the Chickasaw Nation by marriage, she having previously married Lem Kemp, who was a Chickasaw Indian by blood, and petitioner refers to the evidence in the case of many cases of Cherokee Nation and makes the same a part hereof,

That under the constitution, laws, usages and customs of the Chickasaw Nation or tribe of Indians, and the laws of the United States and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a member of said Chickasaw tribe of Indians in the Indian Territory, and entitled to all the rights, benefits and immunities of other Chickasaw Indians.

Wherefore, premises considered, your petitioner prays that his name be enrolled, and that he be admitted to all the rights benefits, privileges and immunities of other Chickasaw Indians in and to the Chickasaw Nation or tribe of Indians in the Indian Territory; and your petitioner will ever pray.

The above named petitioner, W. C. ~~Reynolds~~, says that the statements in the above and foregoing petition are true, according to his best knowledge, information and belief.

Subscribed and sworn to before me this the [illegible] day of [illegible], A. D. 1896.

Notary Public, Grayson County, ~~Texas~~.

REGISTRY RECEIPT.

Post Office at South McAlester, Ind. Ter.

Registered Letter / Parcel No. 99 Rec'd 189

of G G Randell

addressed to Rm Harris
Tishomingo I.T.

M A Potter P. M.

I G.S. Randell do solemnly swear that on the 9th day of Sept. 1896 I mailed a copy of all the papers to which this is attached to R.M. Harris Governor of the Chickasaw Nation and the said papers were registered by me and the receipt attached is a receipt for said papers. Said papers consisted of the petition of M.C. Ellis for enrollment with affidavits asked to be used in the case of Mary Ellis his wife.

G.S. Randell

Sworn to and subscribed before me this 9th day of Sept. 1896.

O.L. Mccall

#421

H. C. Ellis Pet

vs

Cherokee Nation

Ind Ter Resp.

---

application for
admittance &
amendment.

Filed Dec 9-1896

A. B. McKennon
Com

Application
Denied

Atty
L. L. Randall
Denies Int

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of William Ellis et al for En-
rollment in the Chickasaw Na-
tion.

--: Demurrer and Answer :--

Filed Oct. 29, 1896.
H. L. Holloway
Secy.

application Denied

BEFORE THE HONORABLE DAWES COMMISSION:

Ex Parte William C Ellis et al

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that the said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

)); BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of William C Ellis et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consentint to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First--The Chickasaw Nation avers and shows to this Honorable Commission that the applicants herein are, and always have been citizens of the United States.

Second--The said Nation alleges that none of the applicants herein are entitled to be enrolled as members of the Chickasaw Nation or tribe of Indians, and says that none of the applicants herein have adduced any evidence which shows conclusively to this Commission that they are Chickasaws by blood or intermarriage of the Chickasaw Nation. In support of the allegations herein contained, the Chickasaw Nation refers this Honorable Commission to the exhibits hereto attached, and which are mde a part of this answer.

W H E R E F O R E , It prays that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

This man is a white man with no indian rights

In the Matter of the Application for Enrollment in the Chickasaw Nation of William C. Ellis et al.

-----o-----

Indian Territory,)
) ss. ((Affidavit of B. F. Kemp))
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared B. F. Kemp, who, being duly sworn, deposes and says: My name is B. Fl.Kemp; I am a Chickasaw Indian by blood, and am 63 years of age; I was born in the state of Alabama, and came to this country with the Chickasaw Indians in 1837; have been District Judge, and occupied many other important offices in said Nation;

I know all the applicants well; Mary Ellis was my daughter-in-law; she is a United States citizen; in about the year 1886, she married Sam Turnbull, a Choctaw, but not according to the laws of the Chickasaw Nation; in 1890 she married my son, Lem Kemp, but not in accordance with the laws of the Chickasaw Nation, regulating marriages between a white person and a member of the Chickasaw Nation; he died, and about the year 1894, she married the applicant, W. C. Ellis, who is also a United States citizen; they went to Fannin County, Texas, and procured their license to marry; both of them were United States citizens, and not entitled to any rights as ~~Indians~~ Chickasaw Indians.

B F Kemp

Subscribed and sworn to before me on this the 26th day of October, A. D., 1896.

W. Lee C.

Notary Public.

End

1896 chic 195

APPLICATION FOR ENROLLMENT.

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY,

United States Commissioners authorized by an act of Congress of June 10, 1896, to hear and determine Claims for Citizenship in the ~~Cherokee~~ Chickasaw Nation:

GENTLEMEN: The undersigned, your petitioner, Ella Graves

for and on behalf of herself

and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of ~~Cherokee~~ Chickasaw Indians and of those entitled to share in the distribution of funds and allotments of land in ~~Cherokee~~ Chickasaw Nation, by virtue of their ~~Cherokee~~ Chickasaw blood, and I herewith submit the following proofs: that my mother Emma Carrington whose maiden name was Emma Hebb, ~~was a~~ is a three quarter Chickasaw Indian and my father is a half breed Choctaw Indian

in support of said claim, and respectfully await the time when my application shall be heard and tried.

Respectfully submitted,

Ella Graves

Enrollment of family, with relationship attached, as follows: nee- Ella Carrington

NAMES.	AGE.	RELATIONSHIP.
Robert G. Graves	30	Husband
Willie Graves	11	Son
Ella Graves	26	Wife

In witness of which I hereunto set my hand on this 5th day of Sep. 1896.

Ella Graves

Territory of Oklahoma } ss.
County of Oklahoma }

Ella Graves Applicant in the above application being duly sworn Deposes and says: That the statements set forth therein are true

Ella Graves

Subscribed and sworn to before me this 5th day of Sep. 1896

G. H. Hopkins
Notary Public
Commission expires Jan. 22-1900

Regards

Territory of Oklahoma } ss.
County of Oklahoma }

Personally appeared before me the undersigned Notary Public E. Hopkins.
Ella Graves who upon her oath says: That she is the identical person who made application for enrollment in the Chickasaw Nation & to the Dawes Commissioners on the 5th day of Feb. 1896
That affiant's mother recently emigrated from this country to parts unknown & the said affiant is unable to procure her mother's testimony at this time, that to the best of affiant's knowledge, her brother was not enrolled at all affiant generally believes that she can procure testimony from her mother in less time than ninety days affiant further alleges that she can furnish as many as six disinterested witnesses

(to affiant at this time)

all who will furnish testimony in behalf of Affiant to claim who know her from infancy, unless Affiant has in her possession her mothers picture which she desires to and will send to said Commissioner with said testimony Affiant is wholly unable to accompany her application with the above. Quality of testimony at this time but asks of the Hon. Dawes Commissioners that her claim may go on file and that she be allowed sixty days to procure said testimony

[illegible] Ella Graves

Subscribed and sworn to before me this 5 day of Feb. 1902

My commission expires 22 Jan 1904

E. Hopkins

Notary Public

No 7456

Ella Graves

v

Chickasaw Nation

Filed 7 Sept. 1896
H.M. Jacoway
Clerk.

Rejected

non resident

Department of the Interior.
Commission to the Five Civilized Tribes.
Oral evidence.
Testimony for private use, 1900.

Oklahoma City
Ind. T.

End

1896 chic 196

No. 7

In re
Henry Goldsmith
vs
Chickasaw Nation

Demurrer and
Motion

Filed Oct 21/1876.
H. M. Jacoway
Secy.

7

Original 1896 papers transmitted to Department with the report of Commissioner of July 9, 1906 upon motion to transfer names of Wilson Everidge et al., from the roll of Chickasaw freedmen to the roll of citizens by blood of the Chickasaw Nation.

Chickasaw 196.

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES:

Ex Parte Fanny Goldsmith

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation of Henry McSmith

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First--The Chickasaw Nation alleges that the laws of said Nation forbid the intermarriage of a Chickasaw Indian by blood with a ny negro.

Second--That the laws of the Chickasaw Nation have never adopted any of its freedmen;but refused to accept that condition of the Treaty which stipulated that they should have two years and ninety days in which to adopt the said Freedmen: all of which appears by the various Acts of the Legislature of the Chickasaw Nation, and which will hereafter be submitted as exhibits in these cases.

Third--That the Chickasaw Nation is not advised whether or not the applicants herein are Chickasaw Freedmen; but says it has a roll of all the original slaves owned by the Chickasaws at the date of the Emancipation, which it can furnish to this Honorable Commission, if it should be held that the said Freedmen are entitled to any rights, privileges and immunities in the Chickasaw Nation, mentioned in the Treaty--which is not conceded by the Chickasaw Nation, but is especially denied.

Fourth--The Chickasaw Nation says that no rights could ever be conferred, (if any rights were had), by the Chickasaw Freedmen, by intermarriage, upon another and different person, or the descendants thereof.

W H E R E F O R E , The Chickasaw Nation prays that the application herein, together with all others of Freedmen, be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

End

1896 chic 197

Original 1896 papers transmitted to Department with the report of Commissioner of July 9, 1906 upon motion to transfer names of Wilson Everidge et.al., from the roll of Chickasaw freedmen to the roll of citizens by blood of the Chickasaw Nation.

Chickasaw 197.

No.

In re
Rose Goldsmith
vs
Chickasaw Nation

Demurrer
and Motion

Filed Oct 21/46.
Stuart Conway
Secy

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES:

Ex Parte Rose Goldsmith

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applisant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation of Rose Goldsmith

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First--The Chickasaw Nation alleges that the laws of said Nation forbid the intermarriage of a Chickasaw Indian by blood with a ny negro.

Second--That the laws of the Chickasaw Nation have never adopted any of its freedmen;but refused to accept that condition of the Treaty which stipulated that they should have two years and ninety days in which to adopt the said Freedmen: all of which appears by the various Acts of the Legislature of the Chickasaw Nation, and which will hereafter be submitted as exhibits in these cases.

Third--That the Chickasaw Nation is not advised whether or not the applicants herein are Chickasaw Freedmen; but says it has a roll of all the original slaves owned by the Chickasaws at the date of the Emancipation, which it can furnish to this Honorable Commission, if it should be held that the said Freedmen are entitled to any rights, privileges and immunities in the Chickasaw Nation, mentioned in the Treaty--which is not conceded by the Chickasaw Nation, but is especially denied.

Fourth--The Chickasaw Nation says that no rights could ever be conferred, (if any rights were had), by the Chickasaw Freedmen, by intermarriage, upon another and different person, or the descendants thereof.

W H E R E F O R E , The Chickasaw Nation prays that the application herein, together with all others of Freedmen, be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

End

1896 Chic 198

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Jesse M. Laxton et al for
Enrollment in the Chickasaw
Nation.

--:mDemurrer and Answer :--

Filed Oct. 31, 1906,
H. W. Jacoway,
Secy.

Jesse M. Layton

To

Statement

Emeh Chickasaw Na. Ind. Ter.
To the Hon. Henry L. Dawes, Frank
C. Armstrong, A.S. McKennon,
J.B. Cabaniss and A.B Montgomery.
Your petitioner would respectfully make the following statement upon which he bases his right to citizenship in the Chickasaw Tribe of Indians:—
I, Jessie Monroe Laxton, am thirty five (35) year of age, my Post office is Alderson, Chocktaw Na. Ind. Ter. My Father's name was John Laxton, a white man. He, John Laxton, married Polly McGee, who was my mother and also the mother of, Annie Laxton (now Brown) Mattie Laxton (now Freeney) Jane Laxton and Lafayette Laxton. My mother Polly McGee or Polly Laxton died about seven (7) year ago and was buried at the old Boggy Grove Yard. My father, John Laxton lived about five (5) weeks from the death of my mother, and he died and was buried at old Boggy Grove yard. My mother

has often told me that she was
a Choctaw by blood Indian, and she
always called old Arch McGee
her Uncle. My wife's Name is
Nancy Frances Rexton and the
Names of our Children are Nela C.
Minnie Mitchell Reuben C. Rexton
I am a Citizen of the State of Texas
Rexton and subject to taxation &
am a voter, Nancy & I am 45th.

Jesse M Rexton

Subscribed and sworn to before me
a Notary Public in and for Wise, Co. Texas
this the 12th day August 1916.

W. D. Stewart
Notary Public
Wise County Texas

My Commission expires May 31. 1919.

James Colbert

No. 3 Affidavit

Ernest Chickasaw Na Ind Ter.
I, James Colbert on oath
say that I am 48 years of age.
Post office, Boggy Chickasaw
Na. I.T. I am a Chickasaw
Indian by blood. My occupation
is farming. I am well acqu-
ainted with Jesse Laxton and
all of the Laxton family. I knew
John Laxton and his wife Polly
Laxton. Polly Laxton was a
McGee. She Polly McGee or
Polly Laxton was a Chickasaw
Indian by blood. She died near Boggy
Depot about 6 or 8 years ago.
I have made this affidavit
without fear or favor.

James his x Colbert
mark

Subscribed and sworn to before
me this the 8th day of Aug
A.D. 1896

R. F. French
Notary Public

My term of office expires Nov. 16-98

Statement of G. F. Ellis
Atty for Laxton.

Ernest Ind. Ter. Aug. 20th 1896

Hon. Henry Dawes-

Dear Sir-

I herewith submit for the consideration of the Commission, of which you are Chairman a statement of facts accompanied by proof, in the form of affidavits, to establish the claim of Jesse M. Laxton to citizenship in the Chickasaw Na. I. T.

I will not attempt an argument in the case, but rely wholly on the merits of the same, knowing as I do, that in the wisdom of your counsels you will give even handed justice to all parties.

Respectfully
G. F. Ellis
Atty for Jesse M. Laxton

Squire Wolf

Affidavit

Ishonningo Chickasaw Nation I.T.
Southern Judicial Division of
the Indian Territory.

On this the 18th day of September A.D
1895= Appeared before me a Notary
Public in and for the above named
Judicial Division. Personally appeard
Squire Wolfe to me personally well known
and after being duly sworn, deposes and says:
I. knows Polly McGee. who lived on
little Boggy. she (Polly McGee) was a
Chickasaw Indian by blood. ~~The said~~
This is all I know in this matter
Squire his + mark Wolfe

Sworn to and subscribed before
me this the above day and date
written.

G W Adams
Notary Public

James Perry
Affidavit

United States America
Indian Territory
Southern District

On this the 21st day of
August 1895, before me the undersigned
authority apeared Sam (Perry) to me
personally Well known, and of him being duly
sworn by me deposes and says.

I knew Polly McGee who was a
Chickasaw Indian by blood, the said Polly McGee,
came to this Country from Mississippi at the
same time that I did. The said Polly McGee
was a Neice of Annie and Ruthie McGee.
The former (Annie McGee) was the mother
of Cornelius McGee. Who died about
1888 or 1889 on Sandy Creek Chickasaw
Nation Indian Ter.

This is all I know about this

his
Sam + Perry
mark

Sworn to and subscribed to before
me the above day and date written

G W Adams
Asst Clerk

Affidavit of
Noah McBride

Pickaway Co. Ss.

Noah McGill being duly sworn on oath deposes and say my name is Noah McGill Age 44 Years. My post office is Pickaway Co. I knew Polly McGee - she married a man by the name of Lafayette Lafton. She was an Indian by blood to the best of my knowledge she was three fourths Indian & Chickasaw. I have not seen her in several years I understand that she died near Boggy Depot, Ind Ter. some six or Eight years ago - I am a Chickasaw Indian and at present am Sheriff of Pickaway County, Chickasaw Nation Jesse M. Lafton & Lafayette Lafton are sons of Polly McGee (Polly Lafton -)

Noah McGill

Subscribed and sworn to before me on this 6 day of Aug. 1894

Wm Lucas
Notary Public

No. 1097.

[redacted]is

v.

Delaware Nation

Filed Sept. 1–1896

H. M. January

Clerk

J. M. Gordon

Attorneys for Pltf

Mattie Freeney

Affidavit

Ernst, D.J.

Tishomingo Chickasaw Nation
Southern Judicial Division Ind Ter.

On this the 18th day of September
A.D. 1895 ~~Appeared~~ befor me a
Notary Public in and for the above
named Judicial Division. Personally
appeared Mrs Mattie Greeney who after
being duly sworn by me, deposes and
says. My name is Mattie Greeney
My age is 37 (yrs) My Po is Boggy Depot.
My Mother, name was Polly Mckee. she (Polly McKee)
Married a White Man by the name of John
Laxton. My Mother (Polly McKee) or Polly Laxton
died about Six (6) years ago, and was buried
at the Old Boggy Grove Yard. My Father (
John Laxton) died about ~~Four~~ (5) years from the
death of my mother and he died and
was buried in the old Boggy Grove Yard.
My Mother had Children that is living as follows,
Annie Laxton (Brown) age about 36
Jessie Monroe Laxton (~~Brown~~) " " 34
Mattie Laxton (Greeney) " " 32
Jane Laxton (~~Brown~~) " " 30
Lafayette Laxton " " 21
My mother always told me that she was
a Chickasaw Indian and ~~she~~ my Mother
always called Old Arch McKee her Uncle

her
Mattie Greeney
mark

Sworn to and subscribed before
me this the 18th day of September
A D 1895

G. W. Adams
Notary Public

Markie Freeney
Affidavit

No. 1647.
J. M. Lawton
v.
Louisiana Nation
Filed Sept. 1 - 1896
M. W. Freeney
Clerk
J. M. Lawton
Atty
Alameda Co -
Texas
Endd. &c.

TO THE HONORABLE DAWES COMMISSION :

Ex Parte Wm. H. Wallace, et al

Comes now the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim to citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E , It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that said application is insufficient in that the same shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION.

By Its Attorneys.

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation

of Jessie M. Layton et al.

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application herein is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights, privileges and immunities of a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Jesse M. Laxton et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents, this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and always have been citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the petition of the applicants herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached, and asks that they be considered as a part of this answer.

WHEREFORE, It prays that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

The brothers & sisters of these applicants are claiming under Jesse McGee, a brother of Polly McGee

In the Matter of the Application of Jesse M. Laxton et al for Enrollment in the Chickasaw Nation.

-----o-----

--: Affidavit of Peter Maytubby : --

Indian Territory,)
)
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared Peter Maytubby, who, being first duly sworn, deposes and says: My name is Peter Maytubby; my age is 59 years; I am a Chickasaw Indian by blood, and for the past thirty years I have lived at Boggy Depot, Indian Territory, and vicinity; I have been census enumerator for the Chickasaws residing in the Choctaw Nation for the past twenty years, and I am personally acquainted with all the members, by blood or intermarriage, and especially with those residing in the Choctaw Nation; I know that during this period I have never known any persons by the name of Laxton claiming to be Chickasaws, either by blood or intermarriage; neither do I know of a Polly McGee, who claims to have been married to a citizen of the United States, or of her claiming to be a Chickasaw Indian; if there was any Polly McGee, or descendants of hers, claiming to be Chickasaws, I would have known them, for the reason that I have taken the census of those claiming to be Chickasaws in the Choctaw Nation for the last twenty years.

Affiant further says: I know one Jim Colbert, who makes affidavit for the Applicants herein, and who says that he is a Chickasaw Indian by blood; I have been acquaintdd with him for the last twenty years; I know that he is, and has always claimed to be, a Cherokee Indian by blood, and he has never claimed to be a Chickasaw.

I also know Squire Wolfe, who makes affidavit in behalf of the applicants herein, and I have known him for the last 45 years; I know

that he is a full-blood negro, who used to belong to my people; I know that he was convicted of perjury at one time, and that his general reputation for truth and veracity is bad.

Peter Brayfield

Subscribed and sworn to before me on this the 20th day of October, A. D., 1896.

E. M. Adams

Notary Public.

In the Matter of the Application of Jesse M. Laxton et al for Enrollment in the Chickasaw Nation.

-----o-----

--: Affidavit of Jim Colbert ;--

Indian Territory,)
)
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared, Jim Colbert, who, being duly sworn, on oath deposes and says: My name is Jim Colbert; I am 24 years of age, and am a Chickasaw Indian by blood; I was born and raised in Ponotoc County, Chickasaw Nation, Indian Territory; I am Sheriff of Ponotoc County; I am well acquainted with the people claiming to be Chickasaws, either by blood or intermarriage, residing at or near Old Boggy; I know the Jim Colbert who makes affidavit on behalf of the applicants herein, and know that he has always claimed to be a ~~Chickasaw~~ Cherokee Indian, and is so regarded by all who know him; and I know that he is not a Chickasaw Indian, nor does he enjoy the rights and privileges of such.

— Jim Colbert

Subscribed and sworn to before me on this the 20th day of October, A. D., 1896.

— [illegible]

Notary Public.

Indian Territory,
Chickasaw Nation. } ss.

--: Affidavit of Jonas Wolf :--

Before me, the undersigned authority, on this day personally appeared Jonas Wolf, who, being first duly sworn, deposes and says: My name is Jonas Wolf; I am a Chickasaw Indian by blood, and am 68 years of age; I came to this country from Mississippi with the Chickasaw Indians; I have been Governor of the Chickasaw Nation, and have held other important positions under the Chickasaw Government; I am well acquainted with Isaac Williams, and a negro known as "Squire" Wolf; I have known them for about thirty years; I am also well acquainted with Sam Perry; I am informed that each of these men have made a great many affidavits in support of claims to citizenship in the Chickasaw Nation; and I state, upon my oath, that each of these men are unworthy of belief, and would, in my opinion, for a small sum of money, make any kind of an affidavit that was written out for them; they are unreliable in every respect, and their general reputation for truth and veracity is notoriously bad.

Jonas Wolf

Subscribed and sworn to before me on this the 22nd day of October, A. D., 1896.

[illegible]
Notary Public.

End

1896 Chic 199

#17

No. 1995

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

G. M. D. Holford

VS.

Chickasaw Nation.

Received and filed this day of

189

Secretary.

ELEVATOR JOB PRINT FORT SMITH

FEB 3

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

G. W. D. Wolfort vs. Chickasaw Nation, as follows:

Application & Evidence attached, Answer & Evidence attached, Certified copies of entries of Judgment.	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feb., 1897

Jno. W. Phillips
Clerk

#17 – 199

G. W. D. Holford

et al

vs

Chickasaw Nation

IN THE UNITED STATES COURT, IN THE INDIAN TERRITORY,

SOUTHERN DISTRICT, AT ARDMORE.

.....

G. M. D. Holford et al,

No.... v s

CHICKASAW NATION

NOTICE OF APPEAL.

To the Honorable L.Daws, Chairman of the Comission of the United States-to the Five Civilized Tribes of Indians.

Sir:

You are hereby notified that an appeal has been granted in the matter of the application of G.M.D. Holford et als to be enrolled as members of the Chickasaw Tribe of Indians from your Commission to the United States Court, for the Southern District in the Indian Territory at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HONORABLE C.B.KILGORE, Judge of said Court and the seal thereof at Ardmore Indian Territory this 22 day of December, 1896.

J.C. Phillips CLERK.

End

1896 Chic 200

I, Dorsit Carter the United States citizen
and a resident Chickasaw Nation Indian Territory age 28 years.
Occupation and attorney at law being duly sworn states, that I did
on the 8th day of September A. D. 1896. deliver to D. A. Frayser
writing Postmaster at Vinita, Ind. Ter. copy and marked to
which is hereto by the terms of Will from the possession of the
plaintiff of J. H. Gibbons, et al and marked "A" and an affidavit
of J. H. Gibbons and S. L. Williams, to Palmer C. Moseley Attorney of the
Chickasaw Nation. The registery receipt is hereto attached marked
"B" and made part hereof. Witness my hand this 9th. day of
September A. D. 1896.

Dorsit Carter

Subscribed and sworn to before me this 9th day of
Sept 1896

J. M. Gay

REGISTRY RECEIPT.

Post Office at Vinita I.T.,

Registered Letter / Parcel No. 639 Rec'd Sept 9 1896

of Dorsit Carter

addressed to Hon Palmer C Moseley
Washington D.C.

D A Frayser P. M.

[illegible]

I, David Carter the United states citizen
and a resident Chickasaw Nation Indian Territory age 38 years.
by occupation and attorney at law being duly sworn states, that I did
on the 8th day of September A. D. 1900. deliver to D. A. Frayser
United States Postmaster at Vinita, Ind. Ter. from and had him to
endorse and mail by the horse of mail from the post office of the
application of J. D. Gibbons, et al and exhibit "A" and the affidavits
of J. D. Gibbons and S. B. Williams, to Palmer J. Hartley Attorney of the
Chickasaw Nation. The postmastry receipt is hereto attached and
made a part hereof. Witness my hand this 9th. day of
September A. D. 1900.

David Carter

Subscribed and sworn to by David Carter before me this the 9th. day of
September A. D. 1900.

Myra L Young

My commission expires

Before the Commission to the Five Tribes.

Amelia J Gibbons, Murray Gibbons and Margaret Gibbons

Application of J. E. Gibbons, for Enrollment as an Intermarried Citizen of the Chickasaw Nation, Indian Territory.

Now comes J. E. Gibbons, and applying to the above named Commission for enrollment as an inter-married citizen of the Chickasaw Nati Indian Territory, represents that he was married according to the laws of the Chickasaw Nation, Indian Territory, on the 9th day of April, 1893, to Miss Amelia J. Murray, who is a Chickasaw Indian by blood. (Reference is here made to a copy of marriage certificate, marked Exhibit A, and made a part of this application, said marriage certificate being attached hereto) Applicant further represents that since his said marriage he has been recognized in all things by the Indian Government as an inter-married citizen of said Nation; that he and his family are on the regular roll of Indian citizens at Tishomingo, the Capital of said Chickasaw Nation; that he and all his family have participated in all the payments made from the United States Government to said Chickasaw Indian Tribe since his said marriage aforesaid, and that at no time since said marriage has his citizenship as aforesaid been questioned by any one. Applicant further asks that his wife, Amelia J. Gibbons, and his children, Murray and Margaret Gibbons be enrolled by the Commission as citizens of the Chickasaw Nation, Indian Territory. Said Applicant resides at Purcell, Chickasaw Nation, Ind T.

Wherefore premises considered applicant prays that he and his said family above named be enrolled as aforesaid. That the above-named children were born in lawful wedlock to Applicant and his wife Amelia J. Gibbons.

J E. Gibbons

Sworn to and Subscribed before me on this The 4th day of Sept. 1896.

Lol. J. Woods.
Notary Public Southern
Dist. Ind T.

Original

Indian Territory.)
Southern District.)

J. E. Gibbons, being duly sworn states on oath, that he is a citizen of the United States; that heretofore, to-wit: On the 8th day of April, 1893, he was united in marriage to Miss Amelia J. Murray, that the said Amelia J. Murray was an is a Chickasaw Indian by blood; that said marriage was in accordance with the laws of the Chickasaw Nation, a liscense having first been obtained from the Clerk of the Indian Court at Stonewall, the county seat of Pontotoc county, Chickasaw Nation; that ever since said marriage he has been recognized in all things by the Chickasaw Indian Government as an intermarried citizen of said Nation; that he has been allowed to participate and has participated in all of the payments made to the Chickasaw Indians by the United States Government since his said marriage aforesaid, and that his citizenship aforesaid has never been questioned that he ever heard of since his said marriage; that he and his said wife have lived together as husband and wife since said marriage, and that they now reside in the town on Purcell, Chickasaw Nation, Indian Territory, as husband and wife.

J. E. Gibbons

Sworn to and subscribed before me on this, the 4th day of September, 1896.

Zal J. Woods
Notary Public in and for the Southern District, Ind. Ter.

In re 3731 ~~James~~ E. Gibbons
et al. No.

Application before the
Commission to the
five civilized tribes
for citizenship and
enrollment in the
Chickasaw Nation

Filed Sept. 9th 1896
A. S. McClemon
Comr

Hocker & Woods
attys for Applicants

Purcell, I.T.

Indian Territory.)
Southern District.)

S. L. Williams, being duly sworn, states on oath that he is acquainted with J. E. Gibbons; that he knows his wife, Amelia J. Gibbons, that Amelia J. Gibbons is a Chickasaw Indian by blood; that the said J. E. Gibbons has, ever since his marriage to his present wife, been recognized in all things by the Chickasaw Indian Government as an inter-married citizen of said Chickasaw Nation. Affiant further states that he knows that said J. E. Gibbons appears on the roll of Indian citizens at Tishomingo, the capital of said Nation, as well as the names of his wife and children; that he, affiant, acting for and in behalf of said Gibbons and family, has drawn money from the payments made to the Chickasaw Indians, for the said Gibbons and his family. Affiant further states that he never heard it questioned by any one that said Gibbons was fully recognized as an inter-married citizen of said Chickasaw Nation, Indian Territory.

S L Williams

Sworn to and subscribed before me on this, the 4th day of September, A. D., 1896.

C E Lattell

Notary Public in and for the Southern District, Indian Territory.

Lattell

End

1896 Chic 201

#100
#201 S

Jos. N. Love

vs

Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

Jos N. Lowe
No. 100 vs.

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians—*

SIR: You are hereby notified that an appeal has been granted in the matter of the application of Jos N. Lowe to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 19 day of ~~December~~ Jan, 1897.

Jos W. Phillips *Clerk.*

End

1896 Chic 202

#57
#202 D

H. T. Lancaster

vs

Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

N. T. Lancaster

No. 202 *vs.*

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of N. T. Lancaster to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 4 day of ~~December~~ Jan, 1897.

Jos. W. Perry Clerk.

#57

No. 202-5

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

W. F. Landcaster

VS.

Chickasaw — *Nation.*

Received and filed this ..... *day of*

..... *189*...

Secretary.

ELEVATOR JOB PRINT FORT SMITH.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

W. P. Lancaster vs. Chickasaw Nation, as follows:

Application & Evidence	
Answer " "	
Certified Copy. entries	
& judgments	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feb 1897

Jos. C. Hadley

Clerk

End

1896 Chic 203

#83
#203 J

Jennie Moore et al

vs

Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

Jamie Moore et al

No. 83 *vs.*

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians—*

SIR: You are hereby notified that an appeal has been granted in the matter of the application of Jamie Moore et al to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 9 day of December, 1897.

Jos. W. Phillips *Clerk.*

#83

No 203

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Jennie Moon Et al

VS.

Chickasaw Nation.

Received and filed this ..... day of

..... 189..

..... Secretary.

ELEVATOR JOB PRINT FORT SMITH.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Jennie Moore vs. Chickasaw Nation, as follows:

Application & Evidence	
Answer " "	
Certified Copies entries	
& judgments. Affidavits	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feb. 1897

Josiw Phillips

Clerk

#110
~~#203~~. S

Fannie Moore et al

vs

Chickasaw Nation

In the United States Court, in the Indian Territory, Southern District, at Ardmore.

Fannie Moore et al

No. 110 *vs.*

Chickasaw NATION.

Notice of Appeal.

To the Honorable Henry L. Dawes, Chairman of the Commission of the United States, to the Five Civilized Tribes of Indians.

SIR:—You are hereby notified that an appeal has been granted in the matter of the application of Fannie Moore et al to be enrolled as members of the Chickasaw Tribe of Indians from your Commission to the United States Court, for the Southern District, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in trial and consideration of said cause.

WITNESS the HONORABLE C. B. KILGORE, Judge of said Court, and the seal thereof, at Ardmore, Indian Territory, this 22 day of Jan., 1897.

Jos. W. Nichols CLERK.

THE CHICKASAW NATION

ANTELOPE, if there ever was one of the kind, and brilliance and beauty unrivaled are the lure of the chase, many substantial men have come to grief in the pursuit of the antelope. Beware, then, of the antelope.

ANTELOPE, the name given to a certain kind of [illegible] which [illegible] the same genus that includes the cattle, sheep and goats. The antelopes are [illegible] of Asia and Africa, and [illegible] species are found in the United States.

ANTELOPE, a [illegible] of the [illegible] of Texas.

ANTELOPE, a [illegible] of the [illegible] of Texas.

ANTELOPE, a [illegible] of the [illegible] of Texas

TO THE HONORABLE DAWES COMMISSION:

Ex Parte Fannie Maddox et al

Comes now the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim to citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E , It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that said application is insufficient in that the same shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION.

BY ITS ATTORNEYS.

ex Dvs

TO THE HONORABLE DAWES COMMISSION :

End

1896 Chic 204

#39
#204 D

Lee Norton

vs

Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

Lee Norton

No. 204 *vs.*

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of Lee Norton to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 4 day of ~~December~~ Jan, 1897.

Josiah Phillips *Clerk.*

59

No. 2075

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Lee Norton

VS.

Chickasaw Nation.

Received and filed this ... day of

... 189...

Secretary.

ELEVATOR JOB PRINT FORT SMITH

FEB 3 1897

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Lee Norton vs. Chickasaw Nation, as follows:

Application & Evidence	
Answer " "	
Certified Copy entries	
& judgments	

WITNESS my hand and official seal at Ardmore

this the 5 day of July 1897

Jos. W. Phillips

Clerk

Ex #304

Lee Morton

vs

Deuce

FILED SEPT. 31 1896.
A. S. LOCKWOOD

TO THE HONORABLE DAWES COMMISSION:

Ex Parte Lee Morton

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

End

1896 chic 205

#86
#2015(2015)

Aletha Paul

vs

Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

Aletha Paul

No. 86 *vs.*

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of Aletha Paul to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 9 day of ~~December~~ Jan, 1899.

Josiah Thrift *Clerk.*

86

No. 205

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Altha Paul et al

VS.

Chickasaw Nation.

Received and filed this day of

189

Secretary.

SENATOR JOB PRINT FORT SMITH

FILED

FEB 3 1897

Clerk.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Cellia Saul vs. Chickasaw Nation, as follows:

Application & Evidence	
Answer " "	
Certified Copy entries & judgments	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feby 1897

Jos. O. Thidlip

Clerk

End

1896 Chic 206

#105

No 2062

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

W. R. Pittman

VS.

Chickasaw Nation.

Received and filed this day of

189

Secretary.

ELEVATOR JOB PRINT FORT SMITH

FILED
FEB 3 1897
Joseph W. Phillips Clerk.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

W. R. Pittman vs. Chickasaw Nation, as follows:

Application & Evidence	
Answer " "	
Certified Copy entries & judgment	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feb. 1897

Jos. W. Phillips

Clerk

#105
~~#206~~ D

W. R. Pittman

vs.

Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

W. R. Pittman

No. 105 *vs.*

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians—*

SIR: You are hereby notified that an appeal has been granted in the matter of the application of W. R. Pittman to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 21 day of ~~December~~ Jan, 1897.

Jos. W. Shelly *Clerk.*

End

1896 Chic 207

#102
207 D

Wm L. Paoors
et als

vs

Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

Wm L. Paoors et als

No. 102 vs.

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians—*

SIR: You are hereby notified that an appeal has been granted in the matter of the application of Wm L. Paoors et als to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 20 day of ~~December~~ Jan 7, 1896.

Jos. W. Phillips *Clerk.*

102

No. 207—5

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Wm. L. Doors. et al

VS.

Chickasaw Nation.

Received and filed this ..... day of

189...

..... Secretary.

ELEVATOR JOB PRINT FORT SMITH

JUN 3 1891

Clerk.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Wm L. Pooar vs. Chickasaw Nation, as follows:

Application & Evidence	
Answer " "	
Certified Copy entries	
+ judgment	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feb, 1897

Jos. W. Phillips

Clerk

End

1896 Chic 208

REGISTRY RECEIPT.

Post Office at Duncan B.C.

Registered Letter / Parcel No. 73 Rec'd Sept 5. 1896

of J P & R F Sampson

P O Duncan B.C.

addressed to His Excellency Palmer McKay

Fisherman's Bay B.C.

J J Middleton

M

on the 6th day
ated at the
d to Palmer
Ind. Terry,
Nat Registry receipt No. 73. Herein attached is receipt
for said package, which Contains true Copies of the
application of Manerva Powell, and of the
Copies, Virtually in substance, and the same, of the
affidavits of Robt Bacon, Elizabeth Bacon,
Ruth L, Jett, Henry Nelson, Celia Ellis, Nancy
V. Pearson and Mary L. Kingate, in support of same,
That I have No interest in the prosecution of this Claim

J J Middleton

Subscribed and Sworn to before me this
the 6th day of September 1896. and I certify that
I have No interest in prosecution of this Claim, and that affiant
is a credidable person

Thos Wilson

Notary Public

United States of America
Indian Territory,
Southern District } S.S.

I, H.M. Wilkerson, Solemnly Swear that on the 6th day of Sept. 1896, I Send a package registered at the Duncan, I.T., Post Office, addressed to Palmer Morley, Bowne & the Chickasaw Nation, Ind. Terry, Nat Registry Receipt No. 73. Herein attached is Receipt for said package, which Contains true Copies of the application of Minerva Powell, and of the Copies, Virtually in substance, and the same, of the affidavits of Robt Bacon, Elizabeth Bacon, Ruth L. Jett, Henry Nelson, Celia Ellis, Nancy V. Pearson and Mary L. Kengate, in support of Said, that I am No interest in the prosecution of this Claim

H.M. Wilkerson

Subscribed and Sworn to before me this the 6th day of September 1896, and I certify that I have No interest in this Claim, and this affiant is a Credidable person

Thos. M. Cox
Notary Public

Memorial Powell
Application — for
Citizenship.

Application for Citizenship.

United States of America
Indian Territory

To the Hon. Henry L. Dawes,
Commissioner of the United Commission
to the Five Civilized Tribes, Muskogee, Ind. Terry.

I, Minerva Powell, do hereby declare on oath, respectfully state that I am over twenty one years of age, a Post office address is in Minerva Powell, age 55 years, Post office address is San Antonio Texas, and that I am entitled to citizenship in the Chickasaw Nation by blood, and make application for enrollment for myself and family as follows, to wit:

My grandfather's name was Ben Cunnigan, my grandmother's name was Polly Cunnigan, the was a full blood Chickasaw Indian. My grandparents raised eight children, their names are as follows, to wit:

William Cunnigan, Edward Cunnigan, Joseph Cunnigan, Emily Cunnigan, Celia Cunnigan, Cairo Cunnigan, Polly Cunnigan, and Ben Cunnigan, all of whom are now dead except the youngest Ben Cunnigan, who if living would be 78 years old. He was when last heard from living in Florida.

My father's name was Cairo Cunnigan, My mother's name was Ann Cunnigan, My father was one half blood Chickasaw Indian by blood a son of My grandparents Ben and Polly Cunnigan.

That my relationship consists of the following named persons; myself, Minerva Powell, age 55 and My children; Ann Cunnigan her name is Ann Powell, age 13 years old. And my entire family now is to be enrolled with each member of our family as members of the Chickasaw Tribe of Indians in the Indian Territory.

Wherefore, your petitioner states the above facts as the lawful grounds for her application for citizenship in the said Chickasaw Nation, and prays that her claim may be investigated by your Honorable body and that she be adjudged to be a citizen of said Chickasaw Nation, or Tribe of Indians and entitled to all the privileges and rights pertaining to such citizenship in accordance with the laws and treaties made with said Nation or Tribe of Indians.

Witness My Hand, this 22 day of August, 1896.

Witness)
) Minerva Powell

Subscribed and sworn to before me on this 22nd day of August 1896 And I certify that the applicant is respectable and reliable person worthy of belief and that I am not interested in the matter to which this application relates. Witness My Hand and Seal of Office this 22nd Day August 1896 J. C. Clark
Notary Public in and for Bexar County Texas.

My Com'n Expires
June 7th 1897

BANNER PRINT, DUNCAN, I. T.

AFFIDAVIT OF WITNESS.

STATE OF Texas }
COUNTY OF Bexar }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared Robert Baccus who after being duly sworn states that he is. . . .years of age, and is a citizen of Bexar County and State of Texas and that he is personally acquainted with Minerva Powell (of this City.) Who is an applicant for citizenship in the Chickasaw Nation, I. T., and affiant further states that the said Minerva Powell is the identical person she represents herself to be in her application for citizenship in said Nation and the said is

Affiant further states that he has known the said Minerva Powell for the past 1 years and knows that she is and has been recognized and treated by her neighbors, acquaintences and the public generally as a person having Indian blood, and that the complexion and physical appearance of the said Minerva Powell indicate that the said applicant is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Minerva Powell, affiant states he has every reason to believe that the said Minerva Powell is of Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Minerva Powell to citizenship in the Chickasaw Nation, I. T.

Robert his + mark Baccus

SUBSCRIBED AND SWORN TO before me, this 22nd day of August, A. D., 1896, and I further certify that I am well acquainted with the said Robert Baccus and know him to be a person of credibility and of truth and veracity.

J. C. Carr
Notary Public.
Bexar County, Texas.

My Commission expires on the 16th day of June 1897.

BANNER PRINT, DUNCAN, I. T.

AFFIDAVIT OF WITNESS.

STATE OF Texas
COUNTY OF Bexar

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared Elizibet Bacon who after being duly sworn states that She is 40 years of age, and is a citizen of Bexar County and State of Texas, and that She is personally acquainted with Mrs Manerva Powell Who is an applicant for citizenship in the Indian Nation, I. T., and affiant further states that the said Manerva Powell is the identical person She represents herself to be in her application for citizenship in said Nation and the said is

Affiant further states that She has known the said Manerva Powell for the past 7 years and that She is and has been recognized and treated by her neighbors acquaintances and the public generally as a person having Chickasaw Indian blood and that the complexion and physical appearance of the said Manerva Powell indicate that the said Applicant is of Indian blood. That from the above facts and circumstances and from statement made to by the said Manerva Powell; affiant states She has every reason to believe that the said Applicant is of Indian blood.

Affiant further states that She has no interest whatever in the prosecution of the claim of the said Manerva Powell to citizenship in the Indian Nation, I. T.

Elizabeth Bacon

SUBSCRIBED AND SWORN TO before me, this 27th day of August, A. D., 1896, and I further certify that I am well acquainted with the said Manerva Powell and know her to be a person of credibility and of truth and veracity.

J. A. Clem
Notary Public, in and for Bexar County Texas

My Commission expires on the 7th day of June A.D. 1897.

BANNER PRINT, DUNCAN, I. T.

AFFIDAVIT OF WITNESS.

STATE OF Texas }
COUNTY OF Bexar }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared Ruth C Fett who after being duly sworn states that She is 61 years of age, and is a citizen of Bexar County and State of Tex and that She is personally acquainted with Minerva Powell (fz Sanantonio Tex) Who is an applicant for citizenship in the Indian Nation, I. T., and affiant further states that the said Minerva Powell is the identical person She represents herself to be in her application for citizenship in said Nation and the said is

Affiant further states that She has known the said Minerva Powell for the past 1 year and that she is and has been recognized and treated by her neighbors acquaintances and the public generally as a person having Indian blood and that the complexion and physical appearance of the said Minerva Powell indicate that the said is of Indian blood. That from the above facts and circumstances and from statements made to her by the said Minerva Powell affiant states She has every reason to believe that the said Minerva Powell is of Indian blood.

Affiant further states that She has no interest whatever in the prosecution of the claims of the said Minerva Powell to citizenship in the Chickasaw Nation, I. T.

Ruth C Fett

SUBSCRIBED AND SWORN TO before me, this 25 day of August, A. D., 1896, and I further certify that I am well acquainted with the said Ruth C Fett and know her to be a person of credibility and of truth and veracity.

J. E. Carr
Notary Public.
Bexar County Texas

My Commission expires on the 16 day of June 1897.

BANNER PRINT, DUNCAN, I. T.

AFFIDAVIT OF WITNESS.

STATE OF Texas }
COUNTY OF Bexar }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared Henry Hudson who after being duly sworn states that he is 23 years of age, and is a citizen of Bexar County and State of Texas, and that he is personally acquainted with Minerva Powell (of Sanantonio Texas) Who is an applicant for citizenship in the Chickasaw Nation, I. T., and affiant further states that the said Minerva Powell is the identical person she represents herself to be in her application for citizenship in said Nation and the said is

Affiant further states that he has known the said Minerva Powell for the past 9 or 10 years and knows that she is and has been recognized and treated by her neighbors, acquaintences and the public generally as a person having Indian blood, and that the complexion and physical appearance of the said Minerva Powell applicant indicate that the said is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Minerva Powell, affiant states he has every reason to believe that the said Minerva Powell is of Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Minerva Powell to citizenship in the Chickasaw Nation, I T

Henry Hudson

SUBSCRIBED AND SWORN TO before me, this 27 day of August, A. D., 1896, and I further certify that I am well acquainted with the said Henry Hudson and know him to be a person of credibility and of truth and veracity.

J. C. Carr
Notary Public.
Bexar County Texas.

My Commission expires on the 7th day of June 1897.

State of Texas
County of Bexar

Before me, [illegible] a Notary Public for the County and State aforesaid personally appeared Celia Ellis who being by me duly sworn deposes and says — that she is personally acquainted with Nannie Powell of San Antonio, and knows her to be the person who represents herself to be in her application for Citizenship in the Chickasaw Nation I. T.) That Applicant and affiant are Cousins and descendants of Some Grand parents Ben and Pollie Journigan Celia Ellis

Subscribed and sworn to before me this 22nd day of August 1896

[illegible]
Notary Public
Bexar County Texas

My Commission Expires June 7th 1897

State of Texas
County of Bexar

Before me J. O. Carr
a Notary Public for the County
and State aforesaid personally
appeared Nancy T. Pearson
who being by me duly sworn
deposes and says - That Minerva
Powell is her Sister and
that She knows her to be the
person she represents herself
to be in her Application for
Citizenship in the Chickasaw
Nation I.T. That Applicant
and Applicant Dare of
Indian blood.

Nancy T. Pearson

Subscribed and Sworn to
before me this 22nd day of
August 1896.

J. O. Carr
Notary Public
Bexar County Texas.

My Commission
Expires January 1st
1897

#1419

Minerva Powell

vs

Chickasaw Nat

Filed Sep 7 1896

A. M. Kennon

Com

J. P. Campbell Atty

Denison Tex

State of Texas
County of Bexar

Before me J. C. Cox a
Notary Public for the County and
State aforesaid on this personally
appeared Mary E. Hungate
who being by me duly sworn
deposed and say— that she is
personally acquainted with
Mrs Marinda Howell of
San Antonio Texas and knows her
to be the person she represents
herself to be in her application
for Citizenship in the Chickasaw
Nation I. T. Mary E. Hungate, age 43 yrs

Subscribed and sworn to
before me this 22nd day of
August 1896.

J. C. Cox
Notary Public
Bexar County Texas

My Commission
Expires June 7th
1897

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Minerva Powell et al for
Enrollment in the Chickasaw
Nation.

--: Demurrer and Answer :--

Filed Oct. 31, 1906,

W. W. Jamison

Dep.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

---o---

In the Matter of the Application for Enrollment in the Chickasaw Nation of [illegible] et al

---o---

Now comes the Chickasaw Nation, by its Attorneys, and respectfully refers to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, it prays that said application be dismissed.

Second--For special exception the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicants in support of their said claim of citizenship in the Chickasaw Nation is insufficient [illegible]

WHEREFORE, it prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application herein is insufficient in that it shows that the applicants have not complied with the laws of said nation, and, therefore, is not entitled to any of the rights, privileges and immunities of a citizen.

WHEREFORE, it prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: REPORT THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Aplication for Enrollment in the Chickasaw Nation
of Minerva Powell et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving but on the contrary insisting upon the objections filed herein; and without submitting to, but denying the jurisdiction of the Honorable Commission to pass upon a question of citizenship in the Choctaw & Chickasaw Nations of Indians, presents this, its answer, to said petition for, and to protests against the enrollment of said applicants, and for grounds thereof represents:

First--The Chickasaw Nation alleges that all the applicants herein are Citizens of the United States; it states that no such a Chickasaw was ever known by her name, or by the name of Ben Journigan, Polly Journigan, or Polly Van; It respectfully refers to the attached exhibits in the cases of Nancy Pierson et al, and James W. Journigan et al, in support of this answer; and respectfully asks that they be examined, because the witnesses could not be had to testify in this particular case: they having gone before it was discovered among the papers in its possession.

W H E R E F O R E , It prays that the application herein be dismissed, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

End

1896 Chic 209

REGISTRY RECEIPT.

Post Office at Duncan I. T.

Registered Letter / Parcel No. 75 Rec'd Sept 5 1896.

of J. R. H. Sampson

J. R. C. Duncan & Co.

addressed to His Excellency Palmer Mosley

Tishomingo I. T.

J. M. Middleton.

To Solemnly

September, 1896,

the Post Office

Palmer Mosley,

I D. — — W. T. will record to Governor of the Chickasaw Nation, Ind. Terry, that registry receipt No. 75, here attached, is receipt for said package which contains true copies of application of Nancy C. Pearson, and of copies of, Virtually the same in substance, of the affidavits of Mamie Darnell, Elizabeth Bacco, Ruth C. Jett and Mary C. Kemgate, and Celia Ellis, in support of same,

That I have no interest in the prosecution of this claim,

J. R. Sampson

Subscribed and sworn to before me, this the 5th day of September, 1896, and I Certify that affiant is a creditable person, And that I have no interest in the prosecution of this Claim,

J. R. McDowell
Notary Public

United States of America
Indian Territory
Southern Dist.

} S.S.

I, H. M. Wolverton, do Solemnly Swear that on the 5th. day of September, 1896, I Sent a package registered at the Post office at Duncan, I.T. addressed to Dolsey Mosely, Governor of the Chickasaw Nation, Ind. Terry, that registry receipt No. 75, is the attached, is receipt for said package which Contains true Copies of Application of Nancy C. Pearson, and of Copies of, Virtually the same in substance, of the affidavits of Manerva Powell, Elizabeth Bacon, Ruth C. Jett and Mary C. Kongate, and Colin Ellis, in Support of Same,

That I have No interest in the prosecution of this Claim,

H. M. Wolverton

Subscribed and Sworn to before me, this the 5th day of September, 1896, and I Certify that affiant is a Creditable person, And that I have no interest in the prosecution of this Claim,

H. M. Wood
Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY

"Application for Citizenship"

United States of America, Indian Territory.
The Hon. Henry L. Dawes, Commissioner Dawes
Commission, "Vinita I.T."

"Your petitioner the Undersigned,
being duly sworn on her oath,
respectfully states that her
name is Nancy V. Pearson,
age 57 years Post Office address
Duncan Texas, and that she
is entitled by blood to
Citizenship in the Indian
Territory for the following
reasons:— to Wit—".

My Grand Father's Name was
Ben Jonnigan, My Grand Mothers
Name was Pollie Jonnigan, her
Maiden Name was Pollie Van
She was a full blood Chickasaw
Indian, My Grand parents raised
eight Children: their names as follows
to Wit" William Jonnigan,
Edward Jonnigan, Joseph
Jonnigan, Evay Johnigan Celia
Jonnigan, Caile Jonnigan, Pollie
Jonnigan and Ben Jonnigan, - all of
whom are deceased - except the

youngest Ben Jennigan, who
if living would be 78 years of age,
the was taken last heard from living
in State of Florida U.S.-
My Father's name was Clair-
-Jennigan, My Mothers name
was Lucy Jennigan, My
Father was a one half blood
Chickasaw Indian, being the
Son of My Grand parents, Ben
and Addie Jennigan, This is
what I have always been taught
by our family record as to Jenni-
-gan Ancestry Of My "Grand parents" (Nationality)

My Father family tied relationship
consist of the following Named
persons (Been Married three times) My first
husband Henry Watson now deceased,
by Watson had one Child Nancy C. Watson
now Mrs Nancy C. Vandyke age 35 years,
her Post Office address now "Cheapside"
Gonzales County-Texas; Second Marriage
My husband's Name J. F. Richardson
now deceased, by Richardson had
Three Children-two deceased-only
One living Ella F. Richardson now
Mrs Ella F. Edmonds Gallaze 24 years,

My third Marriage to S.S. Pearson
age 76 years - by My last
husband "Pearson" - I have no
Children. And respectfully ask
to be seen, together with each
Member of her family (living) as
a Member of the Chickasaw Indians
in the Indian Territory,

Your petitioner states the above
facts as the lawful grounds
of her Application for Citizenship
in the Chickasaw Nation, and prays
that her Claim may be investigated
by your honorable body and that
She be adjudged to be a Citizen of
said Chickasaw Nation of Indians
and entitled to all the rights and
privileges pertaining to such
Citizenship in accordance with
the laws and treaties made with the
said Nation of Indians.
"Witness My hand on this 22 day of
August 1896.

Witness
W.W. Ellis
C.N. Powell

Nancy V. Pearson

Subscribed and sworn to before
me, the Undersigned Authority on this
the 22nd day of August 1896,
and I Certify that the Applicant
is a Responsible and Creditable
person worthy of belief, and
I am not interested in
the Matter to which this
Application relates.
" Witness My hand and Seal
of Office on this 22nd day of
August 1896

J. Carr
Notary Public in and
Bexar County Texas

" My Commission
Expires June 7th
1897.

FRAME 1

My third Marriage to S.S. Pearson age 76 years - by My last husband "Pearson" - I have no Children. And respectfully ask to be, together with each Member of her family (living) as a Member of the Chickasaw Indians in the Indian Territory.

Your petitioner states the above facts as the lawful grounds of her Application for Citizenship in the Chickasaw Nation, and prays that her Claim may be investigated by your honorable body and that She be adjudged to be a Citizen of said Chickasaw Nation of Indians and entitled to all the rights and privileges pertaining to such Citizenship in accordance with the laws and treaties made with the said Nation of Indians.

"Witness" My hand on this 22 day of August — 1896.

Witness
W.W. Ellis
C.N. Powell

Nancy V. Pearson

Subscribed and sworn to before me, the Undersigned Notary Public in and for Bexar County Texas on this the 22nd day of August 1896, and I Certify that the Applicant is a Responsible and Creditable person worthy of belief, and I am not interested in the matter to which this application relates.

Witness My hand and seal of Office on this 22nd day of August 1896

J.E. Carr
Notary Public in and
Bexar County Texas

My Commission
Expires June 7th
1897.

FRAME 2

"Affidavit & Witness"

August 22nd 1896.

State of Texas }
County of Bexar }

Before me, J. C. Carr
a Notary Public in and for the County
and State aforesaid personally appeared
Mrs Manerva Powell who being by
me duly Sworn States that she is 55
years of age, and a Citizen of Bexar
County Texas, and that
she is personally acquainted with
Nancy V. Pearson of said County and
State - ; who is an applicant for
Citizenship in the Chickasaw
Nation, Indian Territory, and Affiant
further states that the said
Applicant is the identical person
she represents herself to be in
her application for Citizenship
in said Nation and that the said
Nancy V. Pearson is the Grand Daughter
of Ben Jennigon and his wife Pollie Jennigon,
and the Daughter of Chris Jennigon and
his Wife Lucy Jennigon. "Affiant"
further states that herself and the applicant
Nancy V. Pearson are Sisters. and by blood 1/4
One Quarter Chickasaw Indian.

Manerva Powell

W. W. Ellis
C. N. Powell

Subscribed and
Sworn to before
me, this day and year
above written
Witness my hand and
Seal of Office
on this 22nd day of
August 1896.

J. C. Carr
Notary Public
in and for Bexar
County Texas

My Commission Expires May 23rd 1897

FRAME 1

"Affidavit of Witness"

State of Texas }
County of Bexar } August 22nd 1896.

Before me, J. C. Carr
a Notary Public in and for the County
& State aforesaid personally appeared
Mrs Manerva Powell who being by
me duly Sworn States that she is 55
years of age, and a Citizen of Bexar
County Texas, and that
she is personally acquainted with
Nancy V. Pearson of said County and
State - who is an applicant for
Citizenship in the Chickasaw
Nation, Indian Territory, and Affiant
further states that the said
Applicant is the identical person
she represents herself to be in
her application for Citizenship
in said Nation and that the said
Nancy V. Pearson is the Grand Daughter
of Ben Jennigan and his wife Pollie Jennigan,
and the Daughter of Chris Jennigan and
his Wife Lucy Jennigan. "Affiant"
further states that herself and the applicant
Nancy V. Pearson are Sisters. and by blood 1/4
one Quarter Chickasaw Indian.

Manerva Powell

W. W. Ellis
C. N. Powell

Subscribed and
Sworn to before
me, the day and year
above written.
Witness my hand and
Seal of Office
on this 22nd day of
August 1896.

J. C. Carr
Notary Public
in and for Bexar
County Texas

My Commission Expires June 1st 1897

POOR ORIGINAL -
BEST AVAILABLE COPY

Affidavit of Witness
August 22nd 1896.

State of Texas }
County of Bexar }

Before me J. C. Carr
a Notary Public in and for
Bexar County and State aforesaid,
personally appeared Mrs -
Celia Ellis who being by me
duly sworn States that She is
51 years of age and a Citizen of
Dilley Frio County Texas and that She
is personally acquainted with Mrs
Nancy V. Pearson of San Antonio
Texas - who is an Applicant
for Citizenship in the Chickasaw Nation,
Indian Territory; and Affiant further
States that the said Applicant is the
identical person She represents
herself to be in her application
for Citizenship in Said Nation
and that the said Nancy V.
Pearson is - the Grand Daughter of
Ben Jennigan and his wife Pollie Jennigan.
And the Daughter of Ben Barron and his
Wife Celia Barron. "Affiant" further
say that herself and the "Applicant" are
Cousins by blood - 1/4 one quarter
Chickasaw Indian.

Celia Ellis

W. W. Ellis
C. N. Powell

Subscribed and Sworn
to before me, the day
and year above written.

Witness my hand and
Seal of Office on
this 22nd day of
August 1896.

J. C. Carr
Notary Public
in and for Bexar
County Texas

Com Expires
June 7th 1897

State of Texas
County of Bexar

On this day August 22nd 1846 - Before me J. C. Carr a Notary Public in and for the County and State aforesaid - personally appeared Robert Baccus and his Wife Elizabeth Baccus who well known - who being by me duly sworn according to law deposeth say! As touching the Claims of Mrs Minerva Powell and Mrs Nancy V. Pierson (all of San Antonio Texas) who are making Application for Citizenship in Chickasaw Nation I. T. - That affiants are personally acquainted with said Applicants for past Seven (7) years and know that they Claim Indian blood and Spoken of and known by others with whom they were acquainted as such; Residence of affiants is in San Antonio Texas;

Robert X Baccus
mark

Elizabeth Baccus

W W Ellis
C A Powell

Subscribed and sworn to before me, this day and year above written,

In testimony whereof I have hereunto set my Seal of Office on this 22nd day of August 1846

J. C. Carr
Notary Public
in and for Bexar
County Texas

Filed for Record
Sept 7th 1846

State of Ind. T. August 22nd 1896.
County of Pontotoc Before

Before Me J. C. Cure
a Notary Public in and for
the Chickasaw and State aforesaid
personally appeared Mrs
Ruth C. Scott of
Bal Mont Post Office, Pontotoc
County Ind. T. — being by me duly
sworn according to law —
deposes and says — that as
touching Claims for Citizenship
in Chickasaw Nation of
Mrs Susanna Powell and
Mrs Nancy V Pearson
of their blood — Affiant further
says she has known Applicants
for about Seven (7) years —
known they Claimed Indian
blood — and as such their
Complection and Appearance —
— indicate and show

Ruth C. Scott

W W Ellis
C of Pontotoc

Subscribed and Sworn
to before me, the
day and year above
written.

Witness My hand and
Seal of Office
on this 22nd day
of August 1896.

J. C. Cure
Notary Public
in and for Pontotoc
County Ind. Ter.

My Commission Expires
June 7th 1897

#Dec-1-4-1-8

Nancy V Pearson
vs
Chickasaw Nation

Filed Sept 7th 1894

A McKennon
Clerk

J P & Dist Sumpson Okla
Duncan O T

Fancy & Pearson

By

Thomas Nelson

Sept 1894

State of Texas } August 22nd 1896.
County of Bexar }

Before me J Carr a Notary Public in and for the County and State aforesaid personally appeared Mrs Mary C. Livingston who being by me duly sworn deposes and says touching the Claim for Citizenship in Chickasaw Nation N. T. ; that affiant states she has been personally acquainted for 9 or 8 years with "Official" Mrs Minerva Powell nee Mrs Nancy V. Harlan and knows they Claim Indian blood and as such are generally known here by those with whom acquainted; "Official" further states affiants acquaintance with "Officials" includes and shows Indian blood; therefore affiant states believes & knows the facts.

Mrs Mary C. Livingston

Witness }
W. W. Wells
C. N. Powell

Subscribed and sworn to before me this the day and year above written.

Witness my hand and seal of office on this the 22nd day of August 1896

J Carr
Notary Public
in and for Bexar
County Texas

Filed for record June 1st 1897

No.....

Before the Honorable Commission to
to the Five Civilized Tribes.

In the Matter of the Application
of Nancy Pierson et al for
Enrollment in the Chickasaw
Nation.

6

--: A N S W E R :--

F. Jul 31, 1896,

W. W. Jennings,
Sec.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Nancy Pierson et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and have at all times bee, citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the petition of the applicants herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached and asks that they be considered as a part of this answer.

WHEREFORE, It prays that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application for Enrollment in the Chickasaw Nation

of Celia Ellis

-----o-----

Indian Territory,)
) ss.
CHICKASAW NATION.)

--: Affidavit of Peter Maytubby :--

Before me, the undersigned authority, on this day personally appeared Peter Maytubby, who, being first sworn, on oath deposes and says My name is Peter Maytubby; I am 59 years of age, and a Chickasaw Indian by blood; I came to the Indian Territory from Mississippi with the Chickasaw Indians in 1837; for the past twenty years I have been census enumerator of the Chickasaw Indians residing in the Choctaw Nation; I am personally acquainted with all of the Chickasaws, and believe that I know all who claim to be members of the tribe either by blood or intermarriage living in this country; I never heard of a Chickasaw by the name of Ben Journigan, or of any Chickasaw family by the name of "Van,2 or of any of their descendants until today; I believe that if any such persons had been members of the Chickasaw Tribe, that I would at least have heard of them by tradition; I am satisffed that the claim made by the applicants Celia Ellis and her descendants is fraudulent and fictitious.

Peter Maytubby

Subscribed and sworn to before me on this the 23rd day of October, A. D., 1896.

[illegible]

Notary Public.

Indian Territory,)
) ss.
Chickasaw Nation.)

Before me, the undersigned authority, this day personally appeared C. A. Burris, who, being first duly sworn, deposes and says: My name is C. A. Burris; my age is 67 years, and I am a Chickasaw Indian by blood; I came to this country with the Chickasaw Tribe of Indians in the year 1837, and have lived here ever since; I have been a member of the House of Representatives of the Legislature of the Chickasaw Nation; also a Senator, District Judge, Supreme Judge, and was this year Delegate to Washington in behalf of the Chickasaws; there was a town in Mississippi, called Pontotoc, where the Chickasaws used to hold reunions annually, and I attended them; I never heard of a Chickasaw by the name of Ben Journigan, or of any Chickasaw family by the name of "Van", of of any of their descendants until today; I believe that if any such Chickasaws have been members of the Tribe, that I would at least have heard of them by tradition; I am satisfied that this claim made by the applicants, Celia Ellis, and her descendants, is fictitious and fraudulent.

C. A. Burris

Subscribed and sworn to before me on this the 21st day of October, A. D., 1896.

[illegible]

Notary Public.

End

1896 Chic 210

#1409

Application of
John R. May
William A. Shields
Richard E. Shields
James L. Shields
vs
Chicago and Alton

Filed Sept 7th 1896
A. S. McKinnon
Com
application denied in
each case -
Sam. L. Castleberry Atty
Testimony and Fee
Rejected

United States of America
Chickasaw Nation
Southern District

To the Honorable Henry L. Dawes and others
Composing the Commission to the
Five Civilized Tribes

your Petitioners John R. May, William
M. Shields Rhiannard D. Shields, and
James F. Shields would State and Show
by the proof Submitted to the Commission
that they are Chickasaw Indians by decent
and by blood our Mothers name
was Melissa E. Marsh before She was married
the first time her mothers name was Davis
and her mother the Applicants Great Grand
mother was a Chickasaw Who was a full
blood Indian We are half brothers the
Children of the said Melissa E. Marsh
We have been Born and raised in the
Territory and they are there facts being
proved they are entitled to be adjudged
under the laws of Such Nation and the
laws of the Congress of the United States
and the Treaty's of Such Nation with
the united States a Citizens of Such Nation
Wherefore they here with respectfully
Submits to the Consideration of the
Honorable Commission Such proof
and on the hearing they be adjudged
Entitled to Such Citizenship, and their
names be placed upon the proper roll

as a citizen of such Nation

Respectfully

Thos R Mary

William H Shields

Richard V Shields

James F Shields

On this 3rd day of Sept. 1896 before me the undersigned a Notary Public in & for the Southern district 3rd Judicial division of the Ind Ter - Personally appeared Thos R Mary. Richard V. Shields & James H Shields. Being duly sworn. deposes & say that the forgoing application & statements are true & correct.

Sworn to & Subscribed this the 3rd day. Sept 1896.

S H Wootton
Notary Public

2.

Application for Citizenship

To the Honorable Henry L Dawes and others
Composing the Commission to the
Five Civilized Tribes

Gentlemen the undersigned your petitioners
John R. May William H. Shields, Rhinard
V. Shields and James L. Shields for and
in behalf of themselves this day make
this their application to you for the purpose
of having placed on the Chickasaw ~~Indian~~
roll and of those entitled to share in
the distribution of funds and the
allotments of land in the Chickasaw
Nation by virtue of their Chickasaw
blood and they herewith submit the
within and attached affidavits in support
of said Claim and respectfully await
the time when our application shall
be heard and tried.

Respectfully

Enrollment	with	Relationship
John R. May.	28	Applicant
William H. Shields.	23	Applicant
Rhinard V. Shields.	20	Applicant
James L. Shields.	17	Applicant

John R. May
William H. Shields
Rhinard V. Shields
James L. Shields

3

United States of America
Chickasaw Nation
Southern district

Sworn on this 3d day of Sept 1896
Comes John R. May and upon his oath
States that he is one of the applicants
in this cause and states that he is a
Chickasaw Indian by decent and by blood
and that he has voted and held land
in his own name and his rite has
never been questioned untill he had
some trouble with Senator Bryant and
he Bryant got mad at him and had his
name struck from the roll and never
gave you me any notice whatever we
are known as Indian and have never
been known as any thing else. I have
voted and the full blood candidates
tried to get me to go and vote last
election but if I could not get my
annuity money I would not vote these
other applicants are My half Brothers
and they have the same rite I have
as we get our Chickasaw Indian blood through
our mother. That is William H.
Shields Rhinard H Shields and
Jane E. Shields,

Sworn

John R. May

Sworn to & subscribed before me this
Sept 3rd 1896

S H Wootton
Notary Public

4

United States of America
Chickasaw Nation
Southern District

Came on this 3rd day of Sept 1894 came before
me the undersigned a notary public
within and for the aforesaid district
Emmer James and after being duley
duley sworn upon her oath States
as follows to wit that she is forty one years of age well
acquainted with Each of the applicants
in this claim, John R. May, William M.
Shields, Richard M. Shields and
James D. Shields, they are half brothers.
I knew their mother her name was Malissa
E. Marsh, and her mothers name was Peggy
Davis the applicants Grand Mother
who was a half breed Chickasaw Indian
and her mothers name was Washitaby
the applicants Great Grand Mother She
was a full blood Indian. I am a citizen
of the Chickasaw Nation and I have no
interest whatever in the parties getting
this Claim, I know Betty Myers who is a
citizen half breed Chickasaw who ~~is~~ is
the applicants mother own aunt and
I know that Each of these applicants one
Chickasaw Indians by blood and by decent
and I can further state that the reputation

of each of these applicants for Truth
and morality is a base reproach.
I knew when John R May one of
these applicants was considered a citizen
J.H. Bryant a Cenitan came to my house
to get the said John R. May to go and vote
for him Bryant got a horse from me for
May to ride to the Ellection, and Bryant
hellant with May this applicant and
had him Stricken from the roll. I know
knew the boys all their lives and they have
always been known as Indians and never
been known as anything else

Attest John R May — Emma her + mark Jones

Sworn to & subscribed before me this
Sept 3rd 1896.

S. H. Wootton
Notary Public

5 United States of America
Cherokee Nation
Southern District

Personally this 3rd day of Sept 1896
Came John O Jones and upon his oath
States that I am well acquainted with
John R. Mayfield William M. Shield Rhinard
Shields and James F. Shields and they
are known as Indian in the Community
where they live they have held land in
their own name and they look very
much like Indian and act like Indians and
from my acquaintance and knowledge
of Indian I can safely say that they
have Indian blood, and further State
that their reputation for truth
and morality is good

John O Jones

Sworn to & subscribed before me this
Sept 3rd. 1896.

S. F. Wootton
Notary Public

United States of America }
Chickasaw Nation }
Southern District }

I John R. May of Albanny Ewane
That on the 5th day of Sept 1896 I saw
a postage register at the post office
at Mansville Ind Ter addressed to Governor
Masely of the Chickasaw Nation — Ind. Ter.
that register receipt No 40 received from
postmaster there to attached is a receipt for
package which contained two copies
of the application of John R May
William M Shields Rhinard D Shields
and James F Shields and the affidavits
of Emma Jones J. C. Jones John R. May,
in support of said Claim

John R May

Subscribed and Sworn To before
me on this 5th day Sept 1896

Thos J Wash
Notary Public

Post Office at Mannsville Ala

Registered Letter / Parcel } No. 40 Rec'd 9/ , 189

of J. L. Cawthon

P M

addressed to Jno Money

Wapanucka, C N

Wallace, P. M.

POOR ORIGINAL -
BEST AVAILABLE COPY

No

In re,

John R. Mayestal

vs

Chickasaw Nation

Answer

Ex parte In re,

John R. Maystal,

The Chickasaw Nation excepts to said application because it is unsupported by evidence of such credit as demands Consideration.

For answer to Chickasaw Nation denies that any or either of the applicants are its citizens by blood marriage or otherwise It says that the only witness for applicants whose affidavit is ~~herein~~ attached to same swears to facts about people and their citizenship, who must have died before the 1896 Born, It further shows that the is ignorant & uneducated unable to read or write the own name And it is evident that the affidavit was prepared by applicants to suit themselves. It attaches herewith an affidavit, from M. V Chandler which it makes a part -

of its answer.
Wherefore it prays
that applicants be
rejected.

Chickasaw Nation
By Its Attys

Affidavit of M. V. Chadle to be used as evidence in the Claim of John. R. May, William, M. Shields, Rhuiona. V. Shields, James, H. Shields - who Claims their delindancy from the Davis family of which one Billie Myers is a Member of same - Fevil

Whilst I have nothing of these applicants - I am personally and intimately acquainted with Billie Myers who was heretofore a Davis - She was a daughter of Daniel Davis - She is a Sister in law of mine - and has lived in my family often for the last 25 or 30 years. I do not know the exact time - I know she had one Brother named Rush Davis She also had two Sisters - both of whom died young and I know to my own knowledge - and from my knowledge of the Davis family that neither of these Davis girls are or could possibly be (in my belief - the mother or grand mother of these or any other applicants - I again believe these applicants have no just Claim for this reason - That as to the Davis family there are hundreds of good Indian Citizens up in the Chickasaw Nation

whom said Davis family lived & died—
and who are besides being relatives of
said family intimately & personally
acquainted with the whole family
and every one of them who could
have been got and used as
witnesses in this application if
the same had any merit in it
and this application was as it shows
made up at Manorville 3rd Jerry
within 15 miles of where the Davis
family lived & died and within
the neighborhood of where all their
Indian people lived (those not dead)
and could have been got easily
had they been desired — And as
to Billie Myers she lives at Ardmore
within 20 miles of Manorville L. I.
and if she was related to these
applicants as they allege — her own
testimony — were their claim true —
would have been valuable to their
cause, but her evidence it appears
were not solicited & was not obtained
and therefore these applicants propose
to prove their Indian blood and its
descendency by white proper who it
appears to me could know nothing of
this family of Davis — unless by
hear say — again as to the J. H. Bryant
whom they allege was Senator

FRAME 1

was they were desired – and as
to Dillie Myers she lives at Ardmore
within 20 miles of Marysville I. T.
and if she was related to these
applicants as they allege – her own
testimony – were their claim true –
would have been Valuable to their
Cause. but her evidence it appears
were not solicited & was not obtained
and thereon these applicants propose
to prove their Indian blood and its
accendency by which proper who it
appears to me could know nothing of
this family of Davis – unless by
hear say – again as to the J. N. Bryant
whom they allege was Senator

and who wanted one of these applicants
to vote for him – and whom said –
applicant alleges took his name taken
from the roll because he had fell
out with this applicant
I swear from my own personally
knowledge that the Chickasaws
never did since the Origin of their
Government has such Senator by
the name J. N. Bryant – and that
J N Bryant has never had a thing to do
with our rolls or our National business
in any way as the whole Chickasaw
Commission will swear, but the
fact is that I know J N Bryant
who is now living – he is a Choctaw
and resides in the Choctaw Nation –
he has been Senator in the Choctaw
Council – and is a prominent
citizen of the Choctaw Nation – and
if the allegations made by applicants
as relate to his voting & J N Bryant
if all applies to the Choctaw Nation
and not the Chickasaw Nation – and
if J N Bryant is needed he can come
here upon notice to do so and the
whole Choctaw Commission will
inform this U S Commission as to
J N Bryant – So it appears that these
applicants wish to impress this U S Com
mission with the idea that his voting
and business with J N Bryant relates to the

FRAME 2

Chickasaw Nation – if so, it is wholly
unknown – Whereupon I believe the
Claim of these applicants are without
merit – and that had the time
evidence could be obtain to prove
beyond a doubt that these applicants
have no just Cause before this
N. D. Commission and therefore
should be decided against –

W. V. Cheadle

Having read the above and foregoing I
swear to the best of my belief the
same is true and correct – Whereon
I sign this Name – W V Cheadle

Subscribed and Sworn to before me
on this 23rd – day of Nov. 1896.

A. S. McKennon
Com'r –

End

1896 chic 212

#53
#2125
Gro. Matthall
vs
Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

Geo. Walthall
No. 212 *vs.*
CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of Geo. Walthall to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 4 day of ~~December~~ Jan', 1897.

Jos. W. Shelley *Clerk.*

#53

No. 2125

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Geo. W. Marshall

VS.

Chickasaw Nation.

Received and filed this day of

189

Secretary.

ELEVATOR JOB PRINT FORT SMITH

FEB 4 1891

Clerk.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Geo. W. Watthall vs. Chickasaw Nation, as follows:

Application & Evidence	
Certified copy entries	
& judgments	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feby 1897

Jos. C. Phillips

Clerk

Muskogee, Ind. Ter., February 11, 1901.

George O. Walthall,

Chickasha, Indiam Territory.

Dear Sir:-

In the original application made by you to the Commission in 1896 for citizenship in the Chickasaw Nation, there appears the name of Bonnie Walthall. Our records do not show that any application was made for her enrollment in 1899, or since that time. Will you kindly advise the Commission as to the present whereabouts of Bonnie Walthall, answering fully the questions below, and returning this letter with your answers in the enclosed envelope; the envelope will not require a stamp.

Yours truly,

Acting Chairman.

1. Is Bonnie Walthall alive?_____

2. Has application been made for his enrollment?_____

3. If so, by whom and under what name?_____

_____

4. Who is she living with, and where?_____

D.C. 9#213

INDEXED

COMMISSION TO FIVE TRIBES.			
No.	Received	ANSWERED	
		Book	Page
2667 1901	FEB 21 1901		

Walthall, G. O.,
Chickasha, I. T.
[No date]

CHICKASAW

Information relative to
Bonnie Walthall

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 26 1901

ACTING CHAIRMAN

File with 1896 D.C. appln.,
Chick.#212

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Ind. Ter., February 11, 1901.

George O. Walthall,

Chickasha, Indian Territory.

Dear Sir:-

In the original application made by you to the Commission in 1896 for citizenship in the Chickasaw Nation, there appears the name of Bonnie Walthall. Our records do not show that any application was made for her enrollment in 1899, or since that time. Will you kindly advise the Commission as to the present whereabouts of Bonnie Walthall, answering fully the questions below, and returning this letter with your answers in the enclosed envelope; the envelope will not require a stamp.

Yours truly,

Acting Chairman.

1. Is Bonnie Walthall alive? No. Died July 29th 1897

2. Has application been made for his enrollment? _____

3. If so, by whom and under what name? _____

4. Who is she living with, and where? _____

D.C. 9/212

G O. Walthall

End

1896 chic 213

REGISTRY RECEIPT.

Post Office at Duncan Ind. Ter.

Registered Letter / Parcel } No. 92 Rec'd Sept 7, 1896

of James H Johnston
P O Duncan I T

addressed to Hon R M Harris
Tishomingo I T

J Y Middleton P.M.

f- 213

Ex parte

John Wilson

et al

Demurrer

---

30 98.2

FILED

A. M. CLERK

COMMON

C/37

TO THE HONORABLE DAWES COMMISSION:

Ex Parte John Wilson et al

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E, It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION.

By Its Attorneys.

Application for Enrolment

United States of America
Indian Territory

To the Commission to the
Five Civilized Tribes;

The undersigned Petitioners would most respectfully represent their names, ages & relationship are as follows;

John D. Wilson age 33 years Husband
Lillie L. Wilson " 27 " Wife
Augustus J. Wilson " 8 " Daughter
Gracie C. Wilson 6 " "
Lama L. Wilson 2 " "

and whose postoffice address is Comanche, I.T. and that they are entitle to enrolment as Chickasaw Indians for the following reasons;

That your petitioners are recognized Citizens of the Chickasaw Nation and are enjoying all the rights and privileges as such and that all their names appear upon the roll of Citizenship of the Chickasaw Nation except Lama L. Wilson whose name on the account of her infancy had not as yet been placed upon the rolls

That your petitioners make this
application for enrollment for
the purpose of self-protection
from any probable omission
of their names from the rolls prepared
by the Chickasaw Authorities and
not because their rights of
Citizenship has been denied or
called into question.
Wherefore said John D Wilson & his wife
wife. Lillie L. Wilson pray that
this Application be considered
by your Honorable body & that
they be adjudged to be entitled
to enrolment together with their
said Children as Citizens of the
Chickasaw Nation, Indian Territory

John D. Wilson
Lillie L Wilson
Augustus J Wilson Gracie E. Wilson
Laura L. Wilson By their Father John D Wilson

Subscribed & sworn to before me
this 7th. day of Sept. 1896 & I
hereby certify that they are
Creditable persons and
worthy of belief

J. K. C. Guest
Notary Public Southern District, Indian Territory

Indian Territory
Southern District } ss

Before me the undersigned authority personally appeared J. H. Middleton U. S. postmaster at Duncan, I.T. aged 69 years whom I know to be a creditable & responsible person worthy of belief who having been duly sworn on his oath deposes & says as follows:

That on Sept. 7th., 1896 he mailed and registered at U.S. postoffice in Duncan, I.T. addressed to the Hon R. M. Harris, Governor of Chickasaw Nation, at Tishomingo, Ind. Ter, a true Copy of the application of John D. Wilson this wife Lillie L. Wilson and John D Wilson on behalf of his Children Augustus J., Grace E. & Laura L. Wilson together with the affidavits of Dr. W. H. Montgomery, Dr. Carroll Wilkinson, W.E. McCauley to sustain said Application which application affidavits are herein

That the attached Register receipt is for the package Containing said Application & affidavits of J. H. Middleton

J L & Amest

Subscribed & sworn to before me
this 7th day of Sept., 1846
J. L. C. Grant
Notary Public Southern District
of Indian Territory.

Indian Territory,
Southern District } Before me
the undersigned authority
personally appeared N. E. McCarley
aged 38 years whose postoffice
address is Sasakwa I.T. and
whom I know to be a
responsible & creditable
person worthy of belief.
Who having been duly sworn
deposes & says as follows:
That I am personally
well acquainted with
John D. Wilson this wife,
Lylie L. Wilson and their
Children, namely, Augusta J.,
Gracie E. & Laura L. and know
from my own personally
knowledge that they are
Chickasaw Indians and
that their Citizenship as
such is so recognized
and that they are enjoying
all the rights and privileges
of Citizenship within said
Nation.
That I am not interested
in the prosecution of this

[redacted] not related either by
blood or marriage to any
of the parties W. H. McCorkle

Subscribed and sworn to before
me this [redacted] day of Sept., 1896

U. G. Wilkinson
Notary Public, Southern District, Indian
Territory.

Indian Territory,
Southern District } Before me, the undersigned
authority, on this day personally
appeared Dr. W. H. Montgomery
aged 49 years whose postoffice
is Comanche, I.T. whom I know
to be a responsible and creditable
person worthy of belief who having
been duly sworn deposed thus
as follows:

That he is a practicing
physician and that he officiated at
the birth of the infant daughter,
Laura L. Wilson of John D. Wilson
& his wife, Lillie L. Wilson
and that said Child was born
on Oct. 28th., 1894

That he also knows that
they have two other daughters,
Namely, Augustus J & Gracie E
Wilson,

That he knows that
John D. Wilson, his wife
& children above named
are all recognized as
Citizens of the Chickasaw
Nation, and are enjoying

all the rights & privileges pertaining
to same.
That I have no interest
in the prosecution of their
application nor related
to them by blood or marriage

W. H. Montgomery, M. D

Subscribed & sworn to before
me this 7th day of Sept., 1896

J. K. C. Guest

Notary Public, Southern District
Indian Territory

~~683~~

2 / 3

Application
for Enrollment
as Cherokee Indian
by John D Wilson et al

FILED SEPT. 10 1896.
A. S. McKENNON
COM'R.

Admit all the ap-
plicants (naming them)
as citizens by blood
Wife included

Malcolm D Mayfield
Dawes Atty

Subscribed & sworn to before
me this Sept 9, 1896
Notary Public
My Commission expires on
Public, Southern District
Territory.

Indian Territory
Southern District } Before me the
undersigned authority personally
appeared Dr. Carroll Wilkerson
aged 74 Years whose postoffice
address is Comanche, I.T.
And whom I know to be
responsible and Creditable
person worthy of belief
who having been duly
sworn on oath states that
he has been acquainted
with John D. Wilson & his
wife Lillie L. Wilson for
Nine years past and has
often partaken in his
family and that the
Children thereon as theirs
are namely as follows:
Augustus J., Gracie E. & Laura
L. Wilson
That said John D Wilson & his
wife, Lillie L. Wilson & their
Children above named
are known to me to
be Citizens of the
Chickasaw Nation, Indian
Territory, and that they are

enjoying all the rights
& privileges of Chickasaw
Citizens.

That I am not
Connected in their application
nor related by blood
or marriage to them

Carroll McKeanon

Subscribed & sworn to before
me this 7th day of Sept., 1896

W. H. Williams
Notary Public, Southern District
Indian Territory.

6836

Application
for Enrollment
as Chickasaw Freedman
by Patton & Wilson atty

FILED SEPT. 7 1896.
A. S. McKENNON
COM'R.

Admitted as Class
[illegible]
as citizen by Blood
Withdrawn

No. 213

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of John D. Wilson et al for
Enrollment in the Chickasaw
Nation.

--: ANSWER :--

Filed Oct. 16. 1896.
W. M. Freeman
Clerk

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation

of John D. Wilson et al.

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First--The Chickasaw Nation admits that John D. Wilson is by blood a Chickasaw Indian, and that his children, born of lawful wedlock with the said Lillie L. Wilson are also Chickasaw by blood, and entitled to be enrolled in said Nation; which right has in no manner been refused by the Chickasaw Nation.

Second--The said Chickasaw Nation does not admit that the said Lillie L. Wilson was lawfully married, as alleged, to the said John D. Wilson, nee _____, on the date named in said application; ~~it admits that she is entitled to share in such rights and privileges, only, as have been guaranteed to intermarried citizens of the Chickasaw Nation by the laws, constitutions and treaties in force in the Chickasaw Nation at the date of said marriage; it denies, however, that she is entitled to be enrolled, now as an intermarried citizen; or that she is entitled to share in the proceeds of any annuities or lands belonging to the Chickasaw Nation; and respectfully asks that, in his said amendment, she be so designated, so that, if the necessity requires in the future, her rights will be defined, and no portion of the property belonging to the Chickasaw Nation will be decreed to her.~~

All of which is respectfully submitted.

THE CHICKASAW NATION, By Its Attorneys.

End

1896 Chic 214

#12

No. 2145.

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Evans & Hill et al

VS.

Chickasaw Nation.

Received and filed this ..... day of

..... 189..

.....

Secretary.

ELEVATOR JOB PRINT FORT SMITH.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Evans Hill et als vs. Choctaw Nation, as follows:

Application & Evidence attached, Ans. and evidence attached Certified copies of entries & Judgments	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feb. 189 4

Jos. W. Phillips

Clerk

#214

Ex parte
Evans B. Hill
et al

Demurrer

FILED SEPT. 30 1868
A. S. McKEE[illegible]

TO THE HONORABLE DAWES COMMISSION:

Ex Parte Evans B Hill et al

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is not sufficient in law.

W H E R E F O R E, It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient ot show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

IN THE U.S. COURT, IN THE INDIAN TERRITORY,

SOUTHERN DISTRICT AT ARDMORE.

Evans Hill et al

vs

CHICKASAW NATION.

NOTICE OF APPEAL.

No. 12.

To the Hon. J. Todd, Clerk of the United States, to the Five Civilized Tribes of Indians.

SIR:

You are hereby notified that an appeal has been granted in the matter of the application of Evans Hill et al to be enrolled as members of the Chickasaw Tribe of Indians from your commission to the United States Court for the Southern District of the Indian Territory at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

WITNESS the HON. C. R. BREESE, Judge of said Court and the seal thereof at Ardmore Indian Territory, this 14 day of December, 1900.

Josh Phillips CLERK.

12-240

Evans Hill et al

vs

Chickasaw Nation

#214

Ex parte

Evans Hillard

D'Emmi

[illegible] 30 [illegible]

[illegible] McKINNON

[illegible]

TO THE HONORABLE DAWES COMMISSION:

Ex Parte Grace Alice Flint

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is in sufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E , It ~~xxx~~ asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that the same shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

End

1896 Chic 215

INDIAN TERRITORY -:- SOUTHERN JUDICIAL DISTRICT.

To the Honorable Commission of the United States to the Five Civilized Tribes of Indians:

The undersigned, C. C. Hooks and his wife, Sallie Francis Hooks, and their children, to-wit: Mrs. Eva E. Grizzard, Milford C. Hooks, Mrs. Sallie M. Harris, Wm. H. Hooks, Quint F. Hooks, Horace H. Hooks, Hastings P. Hooks, and the children of Ida A. Elliott, namely: Bertha Lee and Charles P. Elliott, and the children of Sallie M. Harris, Viz: Arthur, Charles, Inez and Ora Harris, and the children of the said Milford C. Hooks, Ethel E., Lola I., Francisand Dorathy Hooks, represent to this Honorable Commission that they and each of them are members of the tribe of Chickasaw Indians, and that they and each of them of right are entitled to have their names enrolled upon the roll of Citizenship to be prepared by this Honorable Commission; for these petitioners say,:

First: That the said C. C. Hooks was the legitimate son of Lucinda B. Hooks and John F. Hooks, and that said Lucinda B. Hooks was a one half blooded Chickasaw Indian, and that all of the balance of the applicants herein are the children and grand-children of the said C. C. Hooks; and that all of said petitioners are non-residents of the Indian Territory, except Milford C. Hooks and his children, and that they reside in Ponotoc County, Chickasaw Nation, Indian Territory.

In support of the foregoing facts; petitioners herewith file affidavits of divers and sundry persons, and pray that their names, and each of their names, be duly enrolled upon the roll of citizenship to be prepared by this Honorable

Commission as members of the tribe of Chickasaw Indians.

Freeman & Herbert

Attorneys for Applicants.

INDIAN TERRITORY -:- SOUTHERN JUDICIAL DISTRICT.

Before me, the undersigned authority, on this day personally appeared Milford C. Hooks, who, after being by me first duly sworn, deposes and says: That he is one of the petitioners in the foregoing petition, or application, for citizenship; that he is acquainted with the contents of said application, and that the statements therein contained are true.

M. C. Hooks

Subscribed and sworn to before me this the 7th, day of September 1896.

Notary Public, Southern District, Indian Territory.

In the matter of C C Hooks

68

Sixth,

State of Tennessee
Stewart County

C. C. Hooks
Petitioner
G. M. McElroy
Clerk of the County
Court of said County Pe-
sonally appeared C C Hooks

POOR ORIGINAL -
BEST AVAILABLE COPY

who being first duly sworn made
oath that all the statements and al-
legations contained above are true
to the best of his knowledge & be-
lief

day of 31st 1894

G. W. McElroy Co. Court Clerk

POOR ORIGINAL -
BEST AVAILABLE COPY

No 6857

Application of

C.C. Howes et al

To be admitted

as members of

Chickasaw Nation

of Indians

FILED SEPT. 1896.

A. S. McKENNON

COM'R.

all The above named

Applicants

Furman & Herbert

Attys for Petitioners.

State of Tennessee
Stewart - County

Before me G. M. McElroy Clerk of the County Court of said County personally appeared C. C. Hooks who being first duly sworn deposed as follows; "I am 66 years old; live near Tobacco Port Stewart County Tennessee. I am a son of Lucinda Hooks whose madden name was Howard, and who was a sister to Alex Howard I Knew Alex Howard for a number of years prior to 1852 about the which time he went to Trigg County Ky to work in the Cooling. He was my mothers brother and was spoken of as being of Indian lescent. He was the same Howard in regard to whom Mr Edmonds & Boren have testified in the annext affidavits *

C. C. Hooks.

Sworn to and subscribed

* I have seven living children - to wit Milford Hooks, Willis Hooks, Mrs. Ella Hooks, Mrs. Fannie Hooks, Mrs. Lucy Hooks, Mrs. Edward Hooks, Mrs. Ida Ellison & Mrs. Mary Hooks (twins) Ben Hooks

before me this 27th day of
May 1896 & I certify that I am
not of kin or Counsel to either
of the parties or in any way
interested in the Claim

G. W. McElroy, Clerk

I William M Moorland a Citizen of Indian Mound Stewart County State of Tenn. age Eighty Seven years. Do Certify that I was personly acquainted with William Howard the Father of Ellie Howard. the said Ellie Howard is a Brother to Lucinda B. Hooks. She Lucinda B. Hooks became a widdow and married John L Richards and C. C. Hooks is a Son of Lucinda B. Richards I will further State the said William Howard was called an Indian he had long black hair thin whiskers he was generally Called an Indian I was acquainted with the Family of William Howard in 1822

This Aug 31, 1896

William his x mark Moorland

State of Tenn. } Personly appeared.
Stewart County } before me W. H. Searcy a notary Public for and in the said County & State William M. Moorland who made oath in due form of Law that the above Statement is true to the best of his knowledge and belief witness my hand and seal this the 31st day of August 1896.

W. H. Searcy Notary Pub

I certify that I am a citizen of Indian Mound, Stewart County, State of Tennessee, and that on the 16th Oct. 1851, I was married to Miss Margaret Ann Hooks, the daughter of John F. Hooks and Mrs. Lucinda B. Hooks, who was the daughter of William Howard.

I further certify, I was personally acquainted with Alex. Howard, a son of the said William Howard.

To the best of my recollection, the said Alex Howard left this county and State about the year 1858, and lived near Linton, Ky. for sometime as I am credibly informed.

The said Alex Howard was known and acknowledged as the son of the said William Howard. The said Alex Howard had black hair and thin cheek bones, and was called by the name of Indian.

E. C. Hooks is the son of John F. Hooks and Mrs Lucinda B. Hooks.

Aug[illegible] 1876 [illegible]

State of Tenn } Personally appeared before me
Stewart County } J. W. Seay a Notary P. in for the
County and State aforesaid N. A. West who makes
oath in due form of law that the above statements
are true to the best of his knowledge and belief

Sworn to and Subscribed before me [illegible]
This 28th day of [illegible] 1876

State of Tennessee } In the matter referred
Stewart County } to above personally
appeared before me Brad-
ley Boren who being first duly
sworn deposed as follows: "I live
near Linlois, Trigg Co Ky: Am
62 years old. I knew Alex
Howard from 1852, 1853 &
1854 in Trigg County Ky & I saw
him again in 1861. he was then
living in Livingston County Ky.
He came from Tennessee to Trigg
Co Ky about 1852 & worked in
the Coaling where I worked for
about three years. He lived & boarded
with my grand mother Mrs Cole-
son most of the time he was in
Trigg County Ky. I was with him
often, knew him well and was
on intimate terms with him. He
showed plainly his Indian blood,
was regarded by the people who knew
him as not a full blooded white

white man; was very dark Com-
plexied, had long straight black
hair, very thin beard & black mus-
tache; he claimed to be of Indian
descent & his coplection & features
showed that he was. He claimed
that he was kin to a family of
people in Stewart County Tennessee
by the name of Richards; that
he had two sisters then living in
Stewart County Tennessee

his
Witness to mark Bradley ✕ Brown
R. C. Lewis mark

Sworn to and subscribed
before me this 7 day of
Aug. 1894 & I certify that I am not
interested in this Case of Kin or
Counsel to any of the parties

J W McElroy Clerk

State of Tennessee }
Stewart County }

Before me G. N. McElroy Clerk of the County Court of said Stewart County personally appeared E. D. Edmonds who being first duly sworn in regard to the matter of C. C. Hooks & others pending or to be instituted before the Hawes Commission or other Tribunal or proper committee in regard to their respective Claims of Citizenship as members of the Chickasaw Tribe of Indians states as follows:

"I am 65 years of age; live in Trigg County Ky.; my post office address is Linton Ky. I knew Alex Howard during the years of 1852, 1853 & 1854. He lived most of the time I knew him at Shade Colesons in Trigg County. I knew him well, was with him a great deal was very intimate with him. He was a very dark Complected man he frequently told me

ittel he was related certain Indian though I do not remember what tribe; he claimed to be of Indian descent & it was understood and he was so regarded by the people among whom he lived that he was not a full blooded Caucasian but that he had Indian blood in his veins.

He told me & I frequently heard him say that he had come to Ky from Tennessee.

Witness to mark E. D. his X Edmonds mark
J. C. Lewis

Sworn to and subscribed before me this 27th day of August 1846. and I certify that I am not interested in this cause or of kin or counsel to any of the parties. G. W. McElroy

This is to Certify that I am a Citizen of Indian Ter. Stewart County Tenn and that I was personly acquainted with Alexander Howard a Son of Wm Howard and a Brother of Lucinda B Hooks. John F Hooks Married Lucinda B Howard a Sister of Ellis Howard and a Daughter of Wm Howard. I will further State that Alexander Howard was called an Indian To the best of my recollection Howards Heirs are Black I will further State that G. C. Hooks is a Son of J F Hooks and Lucinda B Hooks.

his
Witness L. L. Lewis
mark

L Lewis

" Good Spring

State of Tenn } Personly appeared before
Stewart County } me F W Seay a notary
Pub of the afore said County and State
Lewis of Tenn. who made oath in
due form of Law that the above statements
are true to the best of his knowledge
and belief. Sworn to and Subscribed
before me this 28th day of August 1896

F W Seay
Notary Pub

I Thomas Brown a citizen of
Lincoln County Tenn
age 70 years do certify I was personly
acquainted with Abel Howard the
Son of William Howard and a
Brother of Lucinda B. Hooks. who
was a widdow and Maried John G
Richards. The said Lucinda B Richards
is a Nuetive of Va Hooks

Witness his Thomas X Brown
Mark

Richard Outlaw

J M Seay

State of Tenn } Personly appeared
Stewart County } before me J M Seay
a Notary Pub in and for said County and
State Thomas Brown who make oath
in due form of law that the above
Statement is true to the best of his
knowledge and belief. witness my hand
and Seal this the 31 day of Aug 1876

J M Seay
Notary Pub

INDIAN TERRITORY -:- SOUTHERN JUDICIAL DISTRICT.

Before me the undersigned authority on this day personally appeared Jesse H. Hill, who, after being by me first duly sworn deposes and says: That he has this day registered a letter to ~~C. S. Mosley~~, the Governor of the Chickasaw ~~Tribe of Indians~~ Nation At ~~Sapulpa~~ Tishomingo, Indian Territory; that said letter was registered at Ardmore, Indian Territory, and that he received from the Post Master a receipt for said letter which said receipt is attached to this affidavit.

That said letter contains the true and literal copyof the application of C. C. Hooks and others to have their names enrolled as members of the Chickasaw Tribe of Indians by the Commission of the United States to the Five Civilized Tribes of Indians; that it also contains true and literal copy of affidavits made by C . C. Hooks, Willie M. Moorel-and, W. A. West, Bradley Boren, E. D. Edmonds, and Louisa C. Lewis, and Thomas Brown in support of the foregoing application.

Affiant further states that he knowns of his own knowledge that the said application and affidavits in support thereof are true and literal copyof the application and the affidavits.

Jesse H Hill

Subscribed and sworn to before me, this the 7th, day of September 1896.

J. F. Mathes.

Notary Public, Southern District, Indian Territory.

INDIAN TERRITORY -:- SOUTHERN JUDICIAL DISTRICT.

Before me the undersigned authority on this day personally appeared Jesse H. Hill, who, after being by me first duly sworn deposes and says: That he has this day registered a letter to ~~C. S. Mosley~~, the Governor of the Chickasaw ~~Tribe of Indians~~ Nation At ~~Tuskaneca~~ Tishomingo, Indian Territory; that said letter was registered at Ardmore, Indian Territory, and that he received from the Post Master a receipt for said letter which said receipt is attached to this affidavit.

That said letter contains the true and literal copyof the application of C. C. Hooks and others to have their names enrolled as members of the Chickasaw tribe of Indians by the Commission of the United States to the Five Civilized Tribes of Indians; that it also contains true and literal copy of affidavits made by C . C. Hooks, Willie M. Moorel-and, W. A. West, Bradley Beren, E. D. Edmonds, and Louisa C. Lewis, and Thomas Brown in support of the foregoing application.

Affiant further states that he knows of his own knowledge that the said application and affidavits in support thereof are true and literal copyof the application and the affidavits.

Jesse H Hill

Subscribed and sworn to before me, this the 7th, day of September 1896.

J. H Mathes.

Notary Public, Southern District, Indian Territory.

REGISTRY RECEIPT.

Post Office at ARDMORE, IND. TER.

Registered Letter/Parcel No. 291 Rec'd SEP 8 1896 189

of Truman Mc Herbert

ARDMORE, IND. TER.

addressed to Gov. of Chickasaw Nat

Tishomingo I T

Truman Scott P. M.

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of C. C Hooks et al for Enrollment in the Chickasaw Nation.

--: A N S W E R :--

Filed Oct 29 1896.
N. McSpadden,
Secy.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the matter of the application for enrollment in the Chickasaw Nation

of C. C. Hooks et al

-----o-----

[illegible] 1914, [illegible] without [illegible] leave [illegible] the application [illegible] herein; [illegible] to [illegible] jurisdiction [illegible] the [illegible] tribal [illegible] upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

[illegible] alleges that none of the applicants herein are entitled [illegible] enrollment as citizens of the Chickasaw Nation by blood or otherwise, [illegible] that each and all of them are now, and always have been, citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the application of the petitioners herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained the exhibits hereto attached, and asks that they be considered a part of this answer.

W H E R E F O R E , It prays that the application herein be dismissed, and that all of the applicants be ~~dismissed~~ rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application of C. C. Hooks et al for Enrollment in the Chickasaw Nation.

-----o-----

Indian Territory,)
) ss. Affidavit of B. F. Kemp and H. F. Murray.
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared B. F. Kemp and H. F. Murray, who being duly sworn, depose and say: B. F. Kemp says that he is 63 years of age, and a Chickasaw Indian by blood, and has been for many years a resident of the Chickasaw Nation, and has held many important offices in said nation: H. F. Murray says that he is 77 years of age, and has been in the Indian Territory since 1854, and has held many important offices in said Nation. They and each of them further say: We have never known or heard of any such persons as the applicants herein being Chickasaws either by blood or otherwise; and we are certain that if there had ever been any such persons claiming to be Chickasaws, we would have known them, or heard of them.

B F Kemp
H F Murray

6

Subscribed and sworn to before me on this the 26th day of October, A. D., 1896.

[illegible]
Notary Public.

In the Matter of the Applicatio of C. C. Hooks et al for Enrollment in the Chickasaw Nation.

-----o-----

Indian Territory,)
) ss. Affidavit of Sampson Johnson and Stuart Seeley.
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared Sampson Johnson and Stuart Seeley, who, being duly sworn, depose and say: We are Chickasaw Indians by blood and have been raised in the Chickasaw Nation; we are both members of the Chickasaw Legislature and have held other offices of importance in the Chickasaw Nation; we are both well acquainted with the applicant, M. C. Hooks, and know that he has been farming and teaching school in our neighborhood for the past two years; we know that he has never claimed to be a Chickasaw Indian, but has always claimed to be a United States citizen; we never heard him say what state he came from; we are not acquainted with any Chickasaw Indians by the name of "Hooks" or "Howard"; if there everwere any such persons in that neighborhood who claimed to be Chickasaws, we would have known them.

Sampson Johnson
mark

Stuart Seeley

Subscribed and sworn to before me on this the 26th day of October, A. D., 1896.

Notary Public.

End

1896 Chic 216

#69
#2165

W. G. Howard

vs

Chickasaw Nat.

In the United States Court, in the Indian Territory,
Southern District, at Ardmore.

W. G. Howard

No. 216 vs.

Chickasaw NATION.

Notice of Appeal.

To the Honorable Henry L. Dawes, Chairman of the Commission of the United States, to the Five Civilized Tribes of Indians.

SIR:—You are hereby notified that an appeal has been granted in the matter of the application of W. G. Howard to be enrolled as members of the Chickasaw Tribe of Indians from your Commission to the United States Court, for the Southern District, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in trial and consideration of said cause.

WITNESS the HONORABLE C. B. KILGORE, Judge of said Court, and the seal thereof, at Ardmore, Indian Territory, this 5 day of June, 1897.

Jo. F. Lucas CLERK.

#69 21⅛
~~2.21~~ D

J.W. Howard et al
vs
Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

J. W. Howard et al

No. *vs.* **NOTICE OF APPEAL.**

CHICKASAW NATION.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of J. W. Howard et al to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 5 day of ~~December~~ Jan, 1897.

Jos. W. Riley *Clerk.*

#69

No. 216 D

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

W. G. Howard

VS.

Chickasaw ---------- *Nation.*

Received and filed this *day of*

189

Secretary.

ELEVATOR JOB PRINT FORT SMITH

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

W. G. Howard vs. Chickasaw Nation, as follows:

Application & evidence
Answer
Certified Copy entries
& judgment

WITNESS my hand and official seal at Ardmore

this the 10 day of April 1897

Jos. W. Phillips
Clerk

J. C. THOMPSON,
ATTORNEY AT LAW.

OFFICE OVER FIRST NATIONAL BANK

ARDMORE, I. T., March 8th, 1897.

Mr.M.M.Jack[illegible], Jr. Secretary of Com.
the Five Civilized Tribes.
Ft.Smith,Arkansas.

Dear Sir:

I have just inquired at the clerk's office and learn that the papers in the case of J.W.Howard et al,-vs- Chickasaw Nation,Your Record C, Page [illegible], No. 221. Have not been received as yet. You will confer a great favor on me by giving this case your immediate attention and see that papers are forwarded to the clerk here as early as possible.

The clerk informs me that he sent you an order for these papers some time ago, immediately after the appeal was allowed.

Please let me hear if you have the papers in this case still in the possession of the Commission. This is very important as these cases will be for hearing at an early date.

Yours very truly,

J.C.Thompson

Dic.E.W.

(Copy)

Atoka, Ind. Ter., April 7, 1897.

Jos. W. Phillips, Esq.,

Ardmore, Ind. Ter.

Sir:-

I have the honor to trnsmit the papers in the Nancy Cooper case, and the case of W. G. Howard. Please acknowledge receipt of this. Also sign the inclosed receipts, and send orders in these cases so our files may be kept perfect.

Very Respectfully,

(Signed) Frank C. Armstrong,

Acting Chairman.

Exhibit #16

Exhibit

H. G. Howard

Clerk

Deputy

FILED SEP 30 [illegible]

TO THE HONORABLE DAWES COMMISSION:

Ex Parte W. G. Hinds et al

Now comes the Chickasaw Nation, by its attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

End

1896 Ohio 217

No 6922

Application of
Mrs. M. A. Hunt et al
for admission to
Citizenship in the
Chickasaw Nation

Application

FILED SEPT. 10 1896.
A. S McKENNON

Application Denied
all Rejected

Thos. Norman
Atty for Applicants
Ardmore
I. T.

REGISTRY RECEIPT.

Post Office at Ardmore I.T.

Registered Letter / Parcel No. 286 Rec'd 9-7- 1896

of Thos. Norman

Ardmore I.T.

addressed to Gov. of Chickasaw Nation

Tishomingo I.T.

Moran Scott P. M.

= Post Master
to solemnly
- this the
e for my
lication of

Mrs. Mealy Adeline Hunt et al for admission to Citizenship in the Chickasaw Nation, and also a copy of said application.

And I further swear that I compared the copy with the original and found it to be a true and complete and perfect copy, and that the said Thos. Norman did in my presence register the said copy to the Governor of the Chickasaw Nation, addressed to him at Tishomingo Ind. Ter.

This the 7th day of Sept. 1896.

Edgar Sandlin

Subscribed and sworn to before me this 7th day of Sept. 1896.

D. H. Flanagan
Notary Public

I, Edgar Sandlin, deputy Post Master at this office, Ardmore Ind. Ter. do solemnly swear that Thos. Norman did on this the 7th day of Sept. 1896. submit to me for my inspection and comparison the application of Mrs. Mealy Adeline Hunt et al for admission to Citizenship in the Chickasaw Nation, and also a copy of said application.

And I further swear that I compared the copy with the original and found it to be a true and completen and perfect copy, and that the said Thos. Norman did in my presence register the said copy to the Governor of the Chickasaw Nation, addressed to him at Tishomingo Ind. Ter.

This the 7th day of Sept. 1896.

Edgar Sandlin

Subscribed and sworn to before me this 7th day of Sept. 1896.

D. H. Tarpley
Notary Public

No _____

In Re Citizenship Claim of
Mrs. Mealey Adeline Hunt et al } In Chickasaw Nation.

Before the Hon. Dawes Commission, sitting at Vinita to determine the right to Citizenship of any applicant therefor in any of the five civilized tribes or nations.

Now comes your applicants herein, Mrs. Mealy Adeline Hunt, and her husband George Washington Hunt, in their own behalf; and also in behalf of their two minor children, Alonzo Allen Hunt, five years of age, and James Monroe Hunt, one year old; and they respectfully state that they are Chickasaw Indians, and are entitled to citizenship in the Chickasaw Nation, and they respectfully submit the following statement of facts to more fully show the same, to wit:-

The father of the said Mrs. Mealy Adeline Hunt, was named James Langley, and he was a one eighth Chickasaw Indian by blood. The Mother of the said Mrs. Mealy Adeline Hunt was named Em Langley, and her maiden name was Em Simpson. She was a quarter blood Cherokee Indian. The father and mother of the said Mrs. Hunt married in Texas, and lived there during their lives.

The father, James Langley, was a son of James Langley (Sr), a quarter blood Chicasaw Indian, and

his wife, whose name is not now remembered, but whose maiden name was Jackson, a white woman, and the daughter of Cy Jackson.

The mother of the said Mrs. Mealy Adeline Hunt, Mrs. Em Langley, was a daughter of Wash Simpson, a half Cherokee Indian by blood, and his wife, whose name is not now remembered, but who was a white woman.

James Langley, the father of the said Mrs. Hunt was married twice. By his first wife, who was a white woman, he had four children whose names were Caroline, Sarah, Tom, and Ike. The oldest of these, whose name is Caroline, married a white man named Bill Langrum, and they have been admitted to citizenship several years ago, but your applicants do not know where they are or where they reside.

James Langley, just spoken of, by his second wife named Em Langley, had four children who ~~are~~ were named Lizzie Belle, Jane, Polly, and Mealy Adeline — the last named being the Mrs. Hunt herein.

Your applicants would further state that Mrs. Mealy Adeline Hunt (Nee Langley), married the said George Washington Hunt on the 11th day of May 1891, in Collin County, Texas; and has as an issue of this marriage two children, Alonzo Allen Hunt, and James Monroe Hunt.

Your applicants are positive that the said James Langley was an eighth Chickasaw Indian

by blood .. That the said Em Langley (nee Simpson) was a quarter Cherokee Indian by blood.

That they, the said James Langley and Em Langley, were legally married, and that the said Mrs. Mealy Adeline Hunt is a child of theirs, and is a one sixteenth Chickasaw Indian by blood, and one eighth Cherokee Indian by blood. They reside at Lone Grove, Ind. Ter.

They state further that they have never heretofore applied for citizenship in said Nation, but they now apply to this Hon. Commission for such citizenship, and for the enrollment of their names upon the roll of citizenship now being made up for said nation by said commission.

We ~~Mealy~~ Mealy Adeline Hunt and George Washington Hunt do solemnly swear that all the foregoing facts and statements in the above application are true and correct.

Attest.

Thos. Norman.

Mrs. Mealy Adeline her X mark Hunt.

G. W. Hunt

Subscribed and sworn to before me this the 3rd day of Sept 1896

Robt. L. Lee
Notary Public.

Thos. Norman, Atty for Applicants,
Ardmore,
Ind. Ter.

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Mealy Adeline Hunt et al for
Enrollment in the Chickasaw
Nation.

)) Demurrer and Answer ((

Filed Oct. 31, 1896.

A. W. Jacoway
Dep.

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES ;

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation

of [illegible]

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to theapplication filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights, privileges and immunities of a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation

of Mealy Adeline Hunt et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents, this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and always have been citizens of the United States; and that none of the applicants has or have any evidence which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the petition of the applicants herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached, and asks that they be considered as a part of this answer.

WHEREFORE, It prays that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application of Mealy Adeline Hunt et al for Enrollment in the Chickasaw Nation.

-----o-----

Indian Territory,)
) ss. --: Affidavit of Charles D. Carter :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared Charles D. Carter, who, being first duly sworn, deposes and says My name is Charles D. Carter; I am 28 years of age, and am a Chickasaw Indian by blood; my home is at Ardmore, Chickasaw Nation, and I was born and raised in the Indian Territory; have been Superintendent of Public Instruction in the Chickasaw Nation, and have held other positions under the Chickasaw National Government; I reside within ~~nine~~ five miles of Lone Grove, Chickasaw Nation, where, it is claimed, that the applicants, and James Langley and M. Langley reside; I am satisfied if any Chickasaws or Cherokee Indians by this name lived there, I would have known it; because I am part Cherokee, and it is customary among the Indians, of however little blood, to get acquainted with each other--especially with those in the immediate vicinity of their homes; I have never heard of these applicants, that I have any recollection of.

Subscribed and sworn to before me on this the 23rd day of October, A. D., 1896.

Notary Public.

End

1896 Ohio 218

#101

No. 2185

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Cumie J Hamilton

VS.

Chickasaw Nation.

Received and filed this ..... *day of*

189..

Secretary.

ELEVATOR JOB PRINT FORT SMITH

FEB 3 1891

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Annie J. Hamilton. Chickasaw Nation, as follows:

Application Evidence	
Dem. & Ans. " "	
Certified Copy entries	
& judgment	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feby 189 7

Jos. W. Phillips

Clerk

101-218 D.

Annie J Hamilton

vs

Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

Annie J. Hamilton

No. 10 vs.

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians—*

SIR: You are hereby notified that an appeal has been granted in the matter of the application of Annie J Hamilton to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 19 day of ~~December~~ Jan, 1897.

Josw. Phillips *Clerk.*

#218

In re
Annie Hamilton
et al

Motion

Filed Oct. 19, 1896.
H. M. Jaeway
Secy.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Annie Hamilton, Robert, Charles, Albert, John and Shelby Hamilton

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without entering any appearance in this action, but declining to do so, only for the purpose of this motion, respectfully requests this Honorable Commission to dismiss the application herein: because the copies which were to be served upon the Governor of the Chickasaw Nation, according to the rules of this Commission, were not served or delivered until after the 10th day of September, 1896; and it calls for strict proof of service, in accordance with the rules of this Commission.

WHEREFORE, It prays that said application be dismissed, for a failure to comply with the rules and regulations adopted by this Honorable Commission, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

-----o-----

Indian Territory,)
)
Chickasaw Nation.)

George W. Adams, being duly sworn, on oath states that he is the postmaster at Tishomingo, I. T., and filled the said position on the 10th day of September, 1896; that the copies registered to the Governor of the Chickasaw Nation of the application for citizenship in the above styled claim were not received at the postoffice at Tishomingo until after the 10th day of September, 1896; but on, to-wit: the 11 day of September, 1896. And is Registered package No 223 from. Kemp Lyon
Jos. H. McCarthy &c

G W Adams

Subscribed and sworn to before me on this the 17th day of October, A. D., 1896.

Will Ricord

Notary Public.

End

1896 Chic 219

#150

219

Mary A Shanks

et als

vs

Christensen Nation

In the United States Court, in the Indian Territory,
Southern District, at Ardmore.

Mary A Shanks et al

No. 150 vs.

Chickasaw NATION.

Notice of Appeal.

To the Honorable Henry L. Dawes, Chairman of the Commission of the United States, to the Five Civilized Tribes of Indians.

SIR:—You are hereby notified that an appeal has been granted in the matter of the application of Mary A. Shanks et al to be enrolled as members of the Chickasaw Tribe of Indians from your Commission to the United States Court, for the Southern District, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in trial and consideration of said cause.

WITNESS the HONORABLE C. B. KILGORE, Judge of said Court, and the seal thereof, at Ardmore, Indian Territory, this 4 day of Feb, 1897.

Jos. W. Phillips CLERK.

#150

No. 2195

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Mary A Shanks

VS.

Chickasaw — Nation.

Received and filed this day of

189

Secretary.

ELEVATOR JOB PRINT FORT SMITH

FILED
FEB 20 1897
Joseph W. Phillips Clerk.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of Shanks Mary A nee Chickasaw vs. Chickasaw Nation, as follows:

Application & Evidence	
Answer " "	
Certified Copies entries	
& judgment	

WITNESS my hand and official seal at Ardmore

this the 20 day of Feby 1897

Jos. W. Phillips

Clerk

End

1896 Chic 220

Alfen R. Drake 7. 39 —
Cynthia Adeline " 37 —
Sallie Mumey (nee Drake) 30
John Marvin Drake -18-
Lonnie (twin) " -12-
Lonnie (twin) " -12-
Emma " -9-
Lee " -5-
Willie " -2-
Eula " -1-
Ina Drake (wife of John Marvin D.)

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Cadmus B Hill vs. Choctaw Nation, as follows:

Application Records attached, Certified Copy Petition and Judgment	

WITNESS my hand and official seal at Atoka

this the 5 day of Feby 189 7

Jno. W. Phillips
Clerk

#16

No. 220, D

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Andrew B. Hill

VS.

Chickasaw Nation.

Received and filed this day of

189

Secretary.

GAZETTE JOB PRINT FORT SMITH.

FEB 3 1897

#16-220.D.

Andrew B. Hill

vs

Chickasaw Nation

IN THE UNITED STATES COURT, IN AND FOR INDIAN TERRITORY,

SOUTHERN DISTRICT, AT ARDMORE.

.....

Andrew B. Hill

No. 16 ..... vs

C

OFFICE, Secretary

NOTICE OF APPEAL.

To the Honorable J. Dawes, Chairman of the Commission of the United States to the Five Civilized Tribes of Indians.

Sir:

You are hereby notified that an appeal has been granted in the matter of the application of Andrew B. Hill to be enrolled as members of the Chickasaw Tribe of Indians from your Commission to the United States Court, for the Southern District in the Indian Territory at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HONORABLE C.B.KILMORE, Judge of said Court and the seal thereof at Ardmore Indian Territory this 21 day of December, 1896.

J.W. Phillips CLERK.

End

1896 chic 221

#108
#221 Davis

J.W.T. Howard

vs

Chickasaw Nation

In the United States Court, in the Indian Territory, Southern District, at Ardmore.

J. W. F. Howard

No. 108 vs.

Chickasaw NATION.

Notice of Appeal.

To the Honorable Henry L. Dawes, Chairman of the Commission of the United States, to the Five Civilized Tribes of Indians.

SIR:—You are hereby notified that an appeal has been granted in the matter of the application of J. W. F. Howard to be enrolled as members of the Chickasaw Tribe of Indians from your Commission to the United States Court, for the Southern District, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in trial and consideration of said cause.

WITNESS the HONORABLE C. B. KILGORE, Judge of said Court, and the seal thereof, at Ardmore, Indian Territory, this 22 day of Jan, 1897.

Jos. W. Phillips CLERK.

End

1896 Chic 222

#106

No. 222

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Sarah Hughes

VS.

Chickasaw Nation.

Received and filed this day of

189

Secretary.

ELEVATOR JOB PRINT FORT SMITH.

FEB 3 1897

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Sarah Hughes vs. Chickasaw Nation, as follows:

Application & Evidence	
Answer " "	
Certified Copy entries & judgments	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feb. 1897

Jos. W. Phillips

Clerk

#106
#1222 J

Sarah Hughs

vs

Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

Sarah Hughs

No. 106 vs.

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians—*

SIR: You are hereby notified that an appeal has been granted in the matter of the application of Sarah Hughs to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 21 day of ~~December~~ Jan, 1897.

Jos. W. Phillips *Clerk.*

End

1896 chic 223

No 533

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

CHARLES L. JONES

VS.

C H I C K A S A W N A T I O N .

APPLICATION FOR CITIZENSHIP.

Filed Sept. 2 - 1896
A S McKennon
Comm

Admitted as an intermarried citizen

Potter & Potter.

CHARLES L. JONES :: APPLICATION FOR CITIZENSHIP PEND-
::
VS. :: ING BEFORE THE COMMISSION TO THE
::
CHICKASAW NATION. :: FIVE CIVILIZED TRIBES.

----- :o: -----

T O T H E H O N O R A B L E C O M M I S S I O N : -

YOUR APPLICANT, CHARLES L. JONES, shows that he is a resident citizen of Pickens County, Chickasaw Nation. That he is a white man, and that in the year 1882 he was a citizen of the United States, residing in the Chickasaw Nation. That in the year 1882 he was lawfully married to Eliza Love, who was a resident and native citizen of the Chickasaw Nation and a member of said tribe of Indians. That from the date of the said marriage until the present time the said applicant has continued to reside in the Chickasaw Nation and to claim and exercise all the rights of citizenship of the Chickasaw Nation, voting at their elections, serving on their juries and participating in their annuities, and his citizenship and rights as a member of said tribe of Indians has never been disputed or denied, so far as this applicant knows, and for this reason he did not make appliaation in his own behalf when he recently applied to this Honorable Commission for citizenship for the benefit of his present wife and child, but this applicant shows that the long delay on the part of the Chickasaw Nation to furnish this Honorable Commission with a roll of its citizens has excited in the mind of this applicant an apprehension that said roll may not be be presented at all, and if presented, the name of this applicant may not appear upon it, and for this reason he makes this application in his own behalf, and in support of same he refers to the evidence now on file before this Honorable Commission in support of

the application heretofore filed by him for the benefit of his present wife and children.

WHEREFORE he prays that upon final hearing this application be granted and that the name of this applicant be entered upon the roll of citizenship to be prepared by this Honorable Commission.

Patter & Patter
ATTORNEYS FOR APPLICANT.

I, CHARLES L. JONES, do on oath state that the matters and things set forth in the above and foregoing application are true, and that my post office address is Oakland, Indian Territory.

C L Jones

SWORN TO AND SUBSCRIBED BEFORE ME THIS 28" DAY OF Aug 1896

A Patterson
Notary Public

THE STATE OF TEXAS ::
::
COOKE COUNTY. :: BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONally appeared T. A. Baggett, Jr., who, on his oath, states That on the 31st day of August, 1896, he mailed and registered at the U. S. Post Office, at Gainesville, Texas, addressed to Hon. Palmer Mosely Gov. Chickasaw Nation, at Tishomingo, I. T., a true and correct copy of the above and foregoing application for citizenship filed by Chas. L. Jones before the Commission to the Five Civilized Tribes, and that the accompnying P. O. receipt is for the same.

T. A. Baggett, Jr.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 31ST DAY OF AUGUST, 1896.

R B Potter

Notary Public in & for Cooke
County Texas

REGISTRY RECEIPT.

Post Office at Gainesville

Registered Letter / Parcel No. 249 Rec'd 8/31 1896

of Potter & Potter
& Co

addressed to Hon Palmer Mosely
Tishomingo I T

F L Clarkson P. M.

Ex parte #273

Chas K. Jones et al

Petition

FILED SEPT. 30 1896
A. S. McKENNY

BEFORE THE HONORABLE DAWES COMMISSION:

Ex Parte Chas. L. Jones et al

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E, It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that sais application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application br dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

Ex parte #223

Chas. L. Jones et al

Petition

FILED SEPT. 30 1896
A. S. McKENN

End

1896 Ohio 224

10

No. 224

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Isaac Jones Jr
Julia Jones Et al

VS.

~~Choctaw~~ Nation.
Chickasaw

Received and filed this ..... day of

189..

Secretary.

ELEVATOR JOB PRINT FORT SMITH.

FILED
FEB 20 1897
Clerk.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Thos. L. Jones et als vs. Chickasaw Nation, as follows:

Application & Evidence	
Answer " "	
Certified Copy entries & judgment	

WITNESS my hand and official seal at Ardmore.

this the 20 day of Feby 1897

Jos. W. Phillips

Clerk

10 - (2242)

In U. S. Court for the
Dist. Territory, South-
ern Judicial Divi-
sion, at Ardmore.

Chas. L. James for
Plaintiff in Error

vs.

The First National
Bank of Duncan,
Okla.,
Defendant.

Motion to Dismiss Writ of Error.

IN THE SUPREME COURT OF THE UNITED STATES.

OCTOBER TERM, 1913.

No. 242.

CHAS. L. JAMES, PLAINTIFF IN ERROR,

vs.

THE FIRST NATIONAL BANK OF DUNCAN, OKLA.

MOTION TO DISMISS WRIT OF ERROR.

Comes now the defendant in error herein and moves the court to dismiss the writ of error heretofore sued out herein by the plaintiff in error, for the reason that the record herein fails to show that the amount in controversy exceeds the sum of $5,000.00, exclusive of interest and costs, as required by the statutes of the United States regulating the jurisdiction of this court.

This motion is based upon the transcript of the record filed herein, and upon the following statement of facts, which are shown by the affidavits of Geo. W. Grayson and Jno. Fleming, which are hereto attached and made a part hereof.

This action was commenced in the District Court of Stephens County, Oklahoma, by the plaintiff in error against the defendant in error, to recover the sum of $5,000.00 and interest thereon at the rate of 10 per cent per annum from the 1st day of December, 1908, and for the further sum of $5,000.00 as exemplary damages, and for the further sum of $5,000.00 as attorney's fees, and for the further sum of $5,000.00 as damages for the conversion of certain personal property, and for the further sum of $5,000.00 as damages for the detention of certain personal property, and for the further sum of $5,000.00 as damages for the injury to certain personal property, and for the further sum of $5,000.00 as damages for the loss of certain personal property, and for the further sum of $5,000.00 as damages for the destruction of

IN THE UNITED STATES COURT FOR THE INDIAN TERRITORY, SOUTH-

ERN JUDICIAL DIVISION, AT ARDMORE.

CHAS. L. JONES, FOR BENEFIT OF LU-ELLA JONES, ET AL,	
VS.	APPLICATION FOR CITIZENSHIP.
C H I C K A S A W N A T I O N.	

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED

TRIBES, COMMONLY CALLED THE DAWES COMMISSION:-

WHEREAS the plaintiff in the above and foregoing cause did, on the 13th day of December, 1896, make application to the Hon. C.B. Kilgore, Judge of the Court aforesaid, for an appeal from the judgment and order of the said Dawes Commission in the above entitled cause, and which application was on said date duly granted by said Judge and said appeal allowed, and an order was on said date issued by the Clerk of this Court directed to said Dawes Commission requesting and directing said Commission toforward to this Court all the original papers in said cause, together with a certified copyof its orders therein; and whereas said order has not been returned into this Court, nor has the said Commission forwarded to this Court the papers and records aforesaid;

THESE ARE THEREFORE to request and direct that your Honorable Commission do forward at once to the Clerk of this Court all the original papers in said cause, together with certified copies of all the entries and decrees made therein by said Commission.

WITNESS THE HONORABLE C.B.KILGORE, JUDGE OF SAID COURT, THIS 12 DAY OF FEBRUARY, A. D. 1897.

Jos. W. Phillips

Clerk

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Chas. L. Jones et al for
Enrollment in the Chickasaw
Nation.

--: A N S W E R :--

Filed Oct 7, 1896.
H M Holcomb
Clerk

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application of Chas. L. Jones, Luella Jones, Frederick, Charles Maxwell, David, Ella, William and Maggie Jones for Enrollment in the Chickasaw Nation.

-----o-----

Comes now the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First--The Chickasaw Nation admits that the said Chas. L. Jones was lawfully married on the date alleged in said application, to one Eliza Love, who was a Chickasaw Indian by blood, and that they lived together until her death.

Second--The Chickasaw Nation avers that, after the death of the said Eliza Jones, nee Love, the said Chas. L. Jones, as alleged by him in his said application, was, on the 20th day of December, 1885, married to Luella Maxwell, who was a United States citizen; ~~xxxxxxxxx~~it admits that by said United States citizen, as the fruits of said marriage, he has living the children alleged in his application; but the Chickasaw Nation alleges that the said marriage was contrary to its laws, forbidding the marriage of a Chickasaw intermarried citizen with another white person; and that the fruits of said marriage, together with the said second wife, have acquired no rights in the Chickasaw Nation as citizens by said marriage; but are now, and have at all times been, United States citizens. It also alleges that, by reason of his said second marriage, the said Chas. L. Jones has forfeited all of his rights as an intermarried citizen of the Chickasaw Nation under the laws in force at the date of his marriage, and which have been in force ever since said date.

W H E R E F O R E , The premises considered, the Chickasaw Nation prays this Honorable Commission to reject the said Chas. L. Jones, and his wife, Luella Jones, and all of the children by said marriage, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

End

1896 Chic 225

No. 1107,

Before the Dawes
Commission on
Citizenship in
the Five Tribes,

Docketed

J. H. Lee

vs

The Chickasaw
Nation

Filed Sept 5th 1896
A. S. McKennon
Petition's Atty.

John Watkins
for
Petitioner.

REGISTRY RECEIPT.

Post Office at Muscogee, Ind. Ter.

Registered Letter / Parcel No. 149 Rec'd 9-4-1896

of John Watkins
Muscogee, Ind. Ter.

addressed to Hon O. H. Mosely.
Wapanucka I.T.
(4) I.T. Murray Co. Okla.

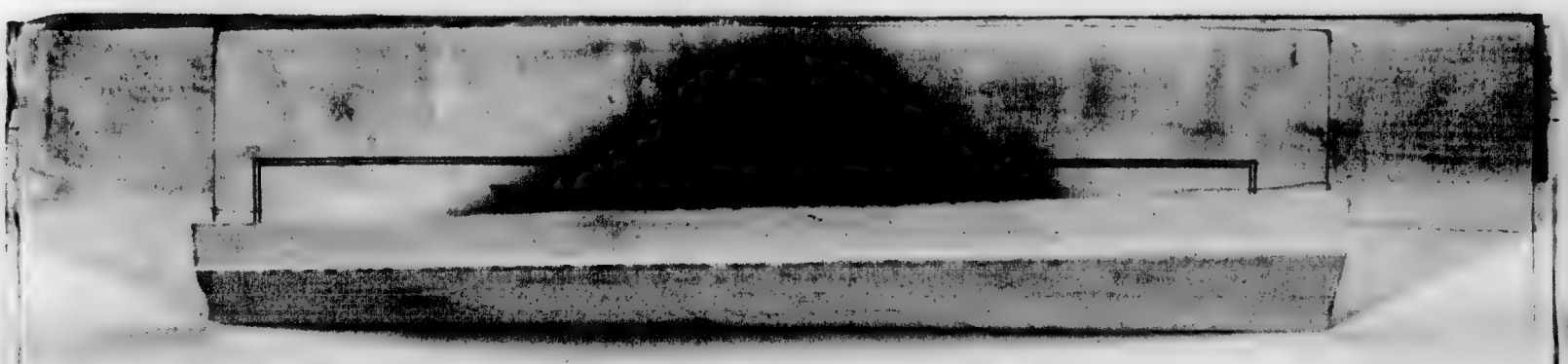
Wapanucka, Indian Territory, (And if not there forward to Tishomingo Indian Territory) That registry receipt No 149 received from Post Master hereto attached isa receipt for said package, which contained true copies of the application of Ben F. Lee and of the affidavits of D. C. Lee Mary McEachern & Samuel McCrary in support of the same

Wm. E. Gilbert

Subscribed and sworn to before me on this 4 day of September 1896.

John N. Kengler

Notary Public.



Indian Territory
Northern District

I, Will. E. Linton do solemnly swear that on the 4th day of September 1896, I saw a package registered at the Post office at Muscogee Indian Territory addressed to Hon. P. S. McSoly, Gov. Chickasaw Nation, ~~[illegible]~~ Wapanucka, Indian Territory, (And if not there forward to Tishomingo Indian Territory) That registry receipt No 149 received from Post Master hereto attached is a receipt for said package, which contained true copies of the application of Ben F. Lee and of the affidavits of D. C. Lee Mary McEachern & Samuel McCurry in support of the same

Will. E. Linton

Subscribed and sworn to before me on this 4th day of September 1896.

John N. Kengla

Notary Public.

...in the Indian Territory:

Your petitioner, F. H. Lee The, undersigned, respectfully states that he is a Part Chickasaw Indian by blood, and asks to be enrolled as a member of the Chickasaw Nation of Indians in the Indian Territory. That he derives his said Indian blood from Nancy Lewis, his Grandma, who was a Part Chickasaw Indian by blood. Nancy Lewis Married Jesse Lee Father of Asa Lee My Father,

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the Chickasaw Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Chickasaw Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 37 years. My Post Office address is Clarks Mill

My family consists of the following-named persons: My Wife and children, as follows:

Thephilus N	Married & has 3 Children	aged 34 years.
William A	1	aged 30 years.
Minnie J	Married F F Hamrick + has 2 Children	aged 23 years.
Rosa Ellah	Married W Willford	aged 21 years.
John D		aged 15 years.
		aged years.
		aged years.
		aged years.
		aged years.
		aged years.

WITNESS my hand this 17 day of Aug 1896.

F. H. Lee

The State of Miss
Carroll County } ss.

Personally appeared before me, the undersigned authority, J H & Lee to me known to be the petitioner in the above petition, who being by me first duly sworn, upon his oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

J H & F H Lee

Subscribed and sworn to before me at Carrollton Carroll Co Miss this 20th day of Aug A.D, 1896.

Jame Hart
Chancery Clerk
Carroll Co Miss

D. H. Lee's
Application

Indian Territory
Northern District. ,

Dewitt C. Lee being duly sworn deposes and says:

My name is Dewitt C. Lee and I am the same Dewitt C.Lee who has made application in the annexed petit ion for admission and enrollment as a member of the Chickasaw Nation of Indians .

I am a full brother of John H. Lee, Mary L. Lee, Eliza Walker nee Lee and Martha Goss nee Lee who have also made a similar application for admission and recognition as members of the ~~xxxxxx~~ Chickasaw Nation We are all part Chickasaw Indians by blood We derived our Indian blood from our father Asa Lee and he from his mother Nancy Lee nee Nancy Lewis, our grand mother All of the above applicants were born in the state of Mississippi and are of the ages set firth in their several petitions.

The said affiant attaches hereto as testimony in the cases above mentioned the original affidavts of Mary McEachern and Samuel McCrary and copies thereof to the several petitions of the above nemed pet tioners and asks that such testimony be taken and considered as testimony in each and all said cases

~~D. C. Lee~~ D. C. Lee.

Subscribed and sworn to before me this 3nd day of September 1896

John H. Koogler
~~John H.~~ Koogler
Notary Public.

The above named affiant and petitioner further states and asks that the testimony attached to the petition of his sister Martha A. Goss one of the aforenamed applicants be taken and considered in each and all of the aforementioned cases which testimony is of the following character viz:

Affidavits of Martha A. Goss and John Goss stated in tabular form, showing the geneology of the family from Jesse Lee and Nancy Lewis down to applicants

Affidavit of J. S. Wolf deceased.

Affidavit of George C olbert Chickasaw Indian

Affidavit of John Goss.

All of which is respectfully submitted,

D. C. Lee.

for himself and all the above named applicants.

The State of Miss. Carroll County. ss

Mrs. Mary McEachern after being duly sworn says that she is 85 years old and her postoffice address is Vaiden Miss, and that she was personally acquainted with Ben and nancy Lewis who was part Indian by blood, about half breeds, but did not know what tribe of Indians they belonged to, and that Nancy Lewis was the wife of Jesse Lee and she was the mother of Asa Lee deceased and that he lived near neighbor to Asa Lee until his death in 1844 and that he died and left a family of eight children to-wit: Ben who married and died and left a family of three children Ben and Lewis and one girl; and Martha married John Goss and 3d Elizabeth who married Cyrus Mayborn and he died and left 3 children and then she married Jas. Walker and 4th Elisha died and left no family 5th John H. Married and has 5 children and 6th Dewitt C. married and has a family and 7th Mary and 8th Asa married and died and left 3 children.

Mary McEachern

Sworn to and subscribed before me this the 18th day of Aug. 1896

J. W. Lee J. P.

State of Miss Carroll Co.

I Samuel Nash chancery clerk of said county do hereby certify that J. H. Lee whose genuine signature appears to the within certificate is now and was at the time of signing the same a legally qualified Justice of the Peace for said County and is under the laws os said state authorized to administer oaths and to certify the same.

Witness my hand and seal of office at Carrollton Miss this Aug 27th 1896

(Seal)

Samuel Nash Clerk.

State of Miss Carroll county. ss.

Samuel McCrary after being sworn says on oath that he got acquainted with Asa Lee deceased in 1835d and lived a near neighbor to him until he died and left a family of eight children to-wit 1st Ben who married and died and left three children 2 boys ~~xxx~~ Jesse and Ben and one girl; 2nd Martha who married John Goss and 3d Eliza who married Cyrus Mayborn & 4th Elisha Dead & 5th John H. , married and has 5 children ; and 6th Dewitt C. married and has family and 7th Mary and 8th Asa and they claim to be part Indian but don't know what tribe they belong to and that he is 72 years old and has post office address is Westation Miss.

Samuel McCrary

Sworn to and suberibed before me this 18th day of Aug 1896

J. W. Lee J. P.

State of Miss Carroll Co. I Samuel Nash Chancery clerk of said county do hereby certify that J. H. Lee whose genuine signature appears to the within certificate is now and was at the time of signing the same a legally qualified Justice of the Peace of said county and ~~xxxxxxxxxxxxxx~~ is under the laws of said state authorized to administer oaths and certify the same.

Witness my hand and seal of office at Carrollton Miss. this Aug 27th 1896

(Seal)

Samuel Nash Clerk

End

1896 Chic 226

No. 1486

Before the Dawes
Commission on
Citizenship in
the Five Tribes,
Indian Territory

Eliza Walker
vs
The Chickasaw
Nation

Petition & Proof.
Filed Sept 6-1896
A.S. McKennon
Comm

John Watkins
For Petitioner

REGISTRY RECEIPT.

Post Office at [illegible]

Registered Letter / Parcel No. 146 Rec'd 9t 4 - 1896

Ind Nor of John Watkins

[illegible]

addressed to Hon O.S. Mosely

Wapanucka I.T.

th

re (1) [illegible] P. M.

addressed to Hon. P. S. Mosely, Gov. Chickasaw Nation, ,

Wapanucka, Indian Territory, (And if not there foward to Tishomingo Indian Territory) That registry receipt No 146 received from Post Master hereto attached isa receipt for said package, which contained true cop ies of the application 6 of Dewit C Lee and of the affidavits of D. C Lee Mary McEachern & Samuel McCrea in support of the same

Subscribed and sworn to before me on this 24 day of September 1896.

Wall. E. Linton

John H. Bacon

Notary Public.

Indian Territory
Northern Districyt

I, Will E. Linton do solemnly swear

that on the 4 day of September 1896, I saw a package

registered at the Post office at Muscogee Indian Territory

addressed to Hon. P. S. M°sely, Gov. Chickasaw Nation, ,

Wpxxxxxkxxkxxdxxxxx Wapanucka, Indian Territory, (And if not there

foward to Tishomingo Indian Territory) That registry receipt No

146 received from Post Master hereto attached isa receipt

for said package, which contained true cop ies of the application 6

of Dewit C Lee and of the affidavits of D. C Lee

Mary McEachern & Samuel McCrea in support of the same

Will. E. Linton

Subscribed and sworn to before me on this 24 day of September

1896.

John H. Brown

Notary Public.

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Ella McKee Lee, undersigned, respectfully states that she is a Part Chickasaw Indian by blood, and asks to be enrolled as a member of the Chickasaw Nation of Indians in the Indian Territory. That she derives her said Indian blood from Fanny Lewis, her Grandma, who was a Part Chickasaw Indian by blood. Fanny Lewis married Lee Lee Father of Ella Lee who was her Father

Your petitioner states the above facts as the lawful grounds of her application for citizenship in the Chickasaw Nation, and prays that her claim may be fully investigated by your Honorable Commission and that she be adjudged to be a citizen of said Chickasaw Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 41 years. My Post Office address is Jefferson Miss

My family consists of the following-named persons: My husband was Reborn and children, as follows:

Joseph C Rayborn dead left one child, aged 44 years.
Fanny married Mr Meek, & has 6 Children, aged 39 years.
Eliza married (one child) (J. Gilbert) aged 34 years.
Ella Gilbert (daughter of Eliza) aged 11 years.
Joe Rabarn Meek (son of Fanny) aged 14 years.
Lira Meek (daughter " ") aged 12 years.
Sallie Meek (" " ") aged 10 years.
Benjamin Franklin Meek (son of Fanny) aged 7 years.
Lapsley Wrightman Meeks (" ") aged 3 years.
Mollie Mason Meeks (") aged 1 years.
Millie Rayborn daughter of Joe Rayborn deceased 17 yrs.

WITNESS my hand this 19 day of August 1896.

Eliza McKee Lee

State of Miss
Carroll County } ss.

Personally appeared before me, the undersigned authority, J. R. Brewer Member of the Board of Supervisors Carroll Co Miss to me known to be the petitioner in the above petition, who being by me first duly sworn, upon her oath says that she is the petitioner in the above petition, that she has read (or heard read) the said petition, and that the facts stated therein are true, as she verily believes.

Subscribed and sworn to before me at Smith Mills. Miss this 19 day of August, A.D. 1896.

J. R. Brewer M. B. S.

POOR ORIGINAL -
BEST AVAILABLE COPY

Chickasaw Nation. Petition of Dewitt C. Lee et al. Filed Aug. 31st 1896. Dawes Roll. Chas. Reed Clerk.

Indian Territory
Northern District.

Dewitt C. Lee being duly sworn deposes and says

My name is Dewitt C. Lee amnd amthe same newitt C. Lee who has made application in the annexed petition for admission and enroll ment ~~xxx~~ as a member of the Chickasaw Nation of Indians.

I am a full brother of John H. Lee, Mary L. Lee, Eliza Walker nee Lee and Martha Goss nee Lee who have also made a similar application for admission and recognition as members of the said Chickasaw Nation. I am the uncle by blood of Ben F. Lee and Jesse F. Lee who are the sons of Ben Lee deceased my brother. They have also made application for admission and enrollment as members of the Chickasaw Nation. We are all full Chickasaw

Indian Territory
Northern District.

Dewitt C. Lee being duly sworn deposes and says

My name is Dewitt C. Lee annd amthe same dewitt C. Lee who has made application in the annexed petition for admission and enroll ment ~~xx~~ as a member of the Chickasaw Nation of Indians.

I am a full brother of John H. Lee, Mary I. Lee, Eliza Walker nee Lee and Martha Goss nee Lee who have also made a similar application for admission and recognition as members of the said Chickasaw Nation. I am the uncle by blood of Ben . Lee and Jesse . Lee who are the sons of Ben Lee deceased my brother. They have also made application for admission and enrollment. as mbers of the Chickasaw Nation. We are all part Chickasaw Indian by blood . We derived our Indian blood from our father Ase Lee and he from his mother Nancy Lee nee Nacy Lewis our grand mother. All of the above applicants were born in the state of Mississippi and are of the ages set forth in their several petitions.

The said affiant attaches hereto as testimony in the cases above mentioned the original affidavits of Mary McKechern and Samuel McCrary and copies thereof to the several petitions of the above named petitioners and asks that such testimony be taken and considered as testimony in each and all of said cases.

D. C. Lee.

Subscribed and sworn to before me this 2nd day of September 1896.

John M. Tingle
Notary Public.

The above named affiant and petitioner further states and asks that the testimony attached to the petition of his sister Martha A. Goss one of the aforenamed applicants be taken and and considered in each and all of the aforenamed cases, which testimony is of the following character viz:

Affidavits of Martha A. Goss and John Goss stated in tabular form, showing the geneology of the family from Jesse Lee and Nacy Lewis down to applicants
Affidavit of J. S. Wolf deceased
Affidavit of George Colbert Chickasaw Indian
Affidavit of John Goss

All of which is respectfully submitted,

For himself and all the above named applicants. D. C. Lee.

[illegible] of Miss. Carroll County ss.

[illegible] Mary McPherson after being duly sworn says that she is 30 years old and her post office address is Valden Miss; that she is personally acquainted with Ben [illegible] and has been for [illegible] but has not known [illegible] the wife of Jesse Lee and the [illegible] Agnes and had [illegible] that [illegible] and [illegible] and [illegible] and

End

1896 Chic 227

#99-227 D.

David C. Lee et als

vs

Chickasaw Nation

"

Order of appeal

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

Sewitt C. Lee et als

No. 99 *vs.*

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians—*

SIR: You are hereby notified that an appeal has been granted in the matter of the application of Sewitt C. Lee to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 18 day of December, 1897.

Jos. W. Phillips *Clerk.*

#99

No. 227,

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Dewitt C. Lee et al

VS.

Chickasaw Nation.

Received and filed this ..... day of

..... 189..

..... Secretary.

ELEVATOR JOB PRINT FORT SMITH.

FEB 8 1897

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Dewitt C. Lee vs. Chickasaw Nation, as follows:

Application & Evidence	
Certified Copy entries	
& judgments	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feb., 1897

Jos. W. Phillips

Clerk

231

Nos 1104 to
1109 inclusive.

D. C. Lee et
C als,
vs
Chickasaw Nation

denied

C

C

Cal. No. 231

The following cases should be
considered together
Leading case

D. C. Lee	No. 1104
Nancy J. Lee	" 1105
Jesse W. Lee	1109
Ben D. Lee	1108
Eliza Walker	1106
J. H. Lee	1107

Respectfully
John Watkins.

Page

End

1896 chic 228

No. 1105

Before the Dawes
Commission on
Citizenship in
the Five Tribes.

In

Mary L. Lee

vs

The Chickasaw
Nation

Docketed

Petition & Prvfs.
Filed 5-1894

A. S. McKennon
Comm

John Watkins
For Petitioner

REGISTRY RECEIPT.

Post Office at Muscogee Ind. Ter.

Registered Letter / Parcel No. 150 Rec'd 9-4-1896

of John Watkins
Muscogee Ind. Ter.

addressed to Hon P. S. Mosely,
Wapanucka I. T.

(S) F. M. P. M.

Indian
North

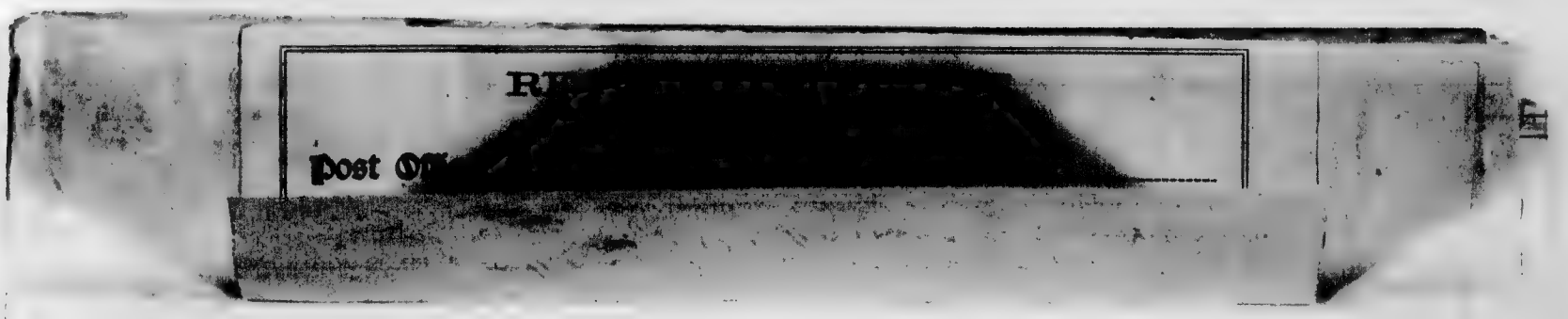
that o

registered at the Post office at Muscogee Indian Territory addressed to Hon. P. S. Mosely, Gov. Chickasaw Nation, ~~Wapanucka~~ Wapanucka, Indian Territory, (And if not there forward to Tishomingo Indian Territory) That registry receipt No 150 received from Post Master hereto attached in receipt for said package, which contained true copies of the application of Jesse W. Lee and of the affidavits of D. C. Lee, Mary McEachern & Samuel McCurtain in support of the same Will E. Linton

Subscribed and sworn to before me on this 11 day of September 1896.

John H. Kingsley

Notary Public.



Indian Territory
Northern District

I, Will. E. Linton do solemnly swear that on the 14th day of September 1900, I saw a package registered at the Post office at Muscogee Indian Territory addressed to Hon. P. S. McNeely, Gov. Chickasaw Nation, , Wapanucka, Indian Territory, (And if not there forward to Tishomingo Indian Territory) That registery receipt No 150 received from Post Master hereto attached is a receipt for said package, which contained true copies of the application of Jesse W. Lee one of the affidavits of D. C. Lee, Mary McEachern & Samuel McClure in support of the same

Will, E. Linton

Subscribed and sworn to before me on this 14 day of September 1900.

John H. Keagley

Notary Public.

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Mary L Lee the, undersigned, respectfully states that she is a Part Chickasaw Indian by blood, and asks to be enrolled as a member of the Chickasaw Nation of Indians in the Indian Territory. That she derives her said Indian blood from Nancy Lewis, her Grandma, who was a Part Chickasaw Indian by blood. Nancy Lewis Married Jesse Lee Father of Asa Lee who was my Father,

Your petitioner states the above facts as the lawful grounds of her application for citizenship in the Chickasaw Nation, and prays that her claim may be fully investigated by your Honorable Commission and that she be adjudged to be a citizen of said Chickasaw Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 53 years. My Post Office address is Jefferson Miss

My family consists of the following-named persons: My and children, as follows:

, aged years.
, aged years.
, aged years.
, aged years.
, aged years.
, aged years.
, aged years.
, aged years.
, aged years.
, aged years.

WITNESS my hand this 19 day of August 1896.

Mary L. Lee

State of Miss
Carroll County } ss.

Personally appeared before me, the undersigned authority, J. R. Brewer Member of the Board of Supervisors Carroll Co Miss to me known to be the petitioner in the above petition, who being by me first duly sworn, upon her oath says that she is the petitioner in the above petition, that she has read (or heard read) the said petition, and that the facts stated therein are true, as she verily believes.

Subscribed and sworn to before me at Smith Mills Miss this 19 day of August, A.D, 1896.

J. R Brewer M. B. S.

Corrie County } Clerk of said County. do hereby
Certify that J.R. Brewer whose
genuine signature appears to the within affidavit is
known and was at the time of signing the same a duly
qualified member of the Board of Supervisors of said
County and is under the laws of said State authorized
to administer and Certify Oaths

Witness my hand & Seal
& Office at Corrector. Miss
this Aug 21st 1896

Jane Hart
Chancery Clerk

Mary Lee's
Petition

[illegible] Territory
Northern District.

Dewitt C. Lee being duly sworn deposes and

says:

That his name as he at C. Lee and I am the same Dewitt C.Lee th
is the petitioner in the aforesaid petition for enrollment as a member of the Chickasaw Nation of Indians.
That he is full brother of John C. Lee, Mary C. Lee, Fannie Miller
now Lee and Martha Goss nee Lee he have also one half br
now Lee and Martha Goss nee Lee he have also one half br
petition for enrollment as members of the Chickasaw Indian tribe of
Chickasaw Indians as full blood Chickasaw Indians by blood de
derived our Indian blood from our father Jesse Lee who was from his
father Nancy Lee nee Nancy Lewis, who was a full blood Chickasaw
Indian by birth and by tribal custom and usage entitled to be
enrolled as such by reason of which facts he is entitled to all the rights
and privileges of such Indians.
That all of the witnesses to be introduced in behalf of the
above named applicants and by the petitioner in support of his
petition and the testimony to be given by each of said witnesses
and all testimony to be taken in behalf of said applicants
and petitioner is material to the issues involved in said petition and
could not be obtained at any other time or place without the
presence of petitioner and applicants. That said testimony is taken and
is necessary in order that petitioner may properly present his
said petition for enrollment of himself and applicants and that
said testimony is of such character that it cannot be obtained at
a later date.

D. C. Lee

Subscribed and sworn to before me this the 19 day of April 1906

John A. Kingsley
John A. Kingsley
Notary Public.

The above named affiant and petitioner further states and asks that the testimony attached to the petition of his sister Martha H. Goss one of the aforenamed applicants be taken and considered in each and all of the aforementioned cases which testimony is of the following character viz:

Affidavits of Martha H. Goss and John Goss stated in tabular form, showing the geneology of the family from Jesse Lee and Nancy Lewis down to applicants
Affidavit of J. S. Wolf deceased.
Affidavit of George C olbert Chickasaw Indian
Affidavit of John Goss.
All of which is respectfully submitted,

D. C. Lee.

for himself and all the above named applicants.

POOR ORIGINAL -
BEST AVAILABLE COPY

End

1896 chic 229

NV. 1108 230

Before the Dawes
Commission in
Citizenship in the
Five Tribes.

vs

Ben F. Lee

vs

The Chickasaw
Nation
Defendant

Petition & Proof.

Filed Sept 6-1899

John Walton
for
Petitioner

REGISTRY RECEIPT.

Post Office at .....

Registered Letter / Parcel } No. 148 Rec'd 9-4 1896

of John Watkins.

addressed to Hon O. S. Mosely.
Wapanucka I.T.

(3) .....P. M.

Indi
Nort

thi

reg:

addressed to Hon. .. ..,

~~W~~apanucka, Indian Territory, (And if not there

foward to Tishomingo Indian Territory) That registry receipt No

148 received from Post Master hereto attached isa receipt

for said package, which contained true cop ies of the application &

of Mary L. Lee and of the affidavits of D. G. Lee, Mary

McEachern & Samuel McCrary in support of the same

Wm. W. E. Linton

Subscribed and sworn to before me on this 4th day of September

1896.

John Hickerson

Notary Public.

Indian Territory
Northern Districyt

I, [illegible] do solemnly swear

that on the 11 day of September 1896, I saw a package

registered at the Post office at Muscogee Indian Territory

addressed to Hon. P. S. McSely, Gov. Chickasaw Nation, ,

~~Wapxxxxkxxixxxxxxx~~ Wapanucka, Indian Territory, (And if not there

foward to Tishomingo Indian Territory) That registry reccipt No

144 received from Post Master hereto attached isa recolpt

for said package, which contained true cop ies of the application &

of Mary L. Lee and of the affidavits of D. G. Lee, Mary

McEachern & Samuel McCrary in support of the same

Subscribed and sworn to before me on this 14 day of September

1896.

[illegible]

Notary Public.

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Sam H Lee, undersigned, respectfully states that he is a Mix Chickasaw Indian by blood, and asks to be enrolled as a member of the Chickasaw Nation of Indians in the Indian Territory. That he derives his said Indian blood from Nancy Lewis, his Grandmother who was a Mix Chickasaw Indian by blood. Sam H Lee married Jennie Lee a full blood Choctaw Indian. Who was the father of my children Lee.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the Chickasaw Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Chickasaw Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 37 years. My Post Office address is Lehigh Indian Ter.
My family consists of the following-named persons: My Wife and children, as follows:

Nancy Lee	aged	7 years.
Cecil A	aged	7 years.
Harry E	aged	4 years.
[illegible]	aged	2 years.
[illegible]	aged	1 years.
	aged	years.
	aged	years.
	aged	years.
	aged	years.
	aged	years.

WITNESS my hand this 2 day of August 1896.

Sam H. Lee

State of Mississippi
Carroll County } ss.

Personally appeared before me, the undersigned authority, Sam H. Lee to me known to be the petitioner in the above petition, who being by me first duly sworn, upon his oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

Sam H Lee

Subscribed and sworn to before me at Kowagmo Mississippi this 25th day of August, A.D, 1896.

C. M. Smith J.P.

State of Mississippi } I Same Hard Chancery Clerk in and
Covington County } for said County do hereby Certify that
C. W. Smith whose genuine signature
appears to the within Certificate is now and was at the time
of signing the same a regularly qualified Justice of the Peace
of said County and that he is under the laws of said State
authorized to administer and Certify Oaths

Witness my hand and Seal of Office
at Covington Miss this Aug 27 1896
Same Hard Clerk

My name is Newitt C. Lee and with my wife Sarah C. Lee who

has made application in the annexed petition for admission and
enrollment now as a member of the Chickasaw Nation of Indians.
I am a full brother of John H. Lee, Mary L. Lee, Eliza Walker
and Martha Ross but Lee and have never made a similar
application for admission and recognition as members of the said
Chickasaw Nation. I am the owner by deed of Wm P. Lee and Jesse

D C Lee

John H. Wrangler

The above named affiant and petitioner further states and asks that the testimony attached to the petition of his sister Martha A. Goss one of the aforenamed applicants be taken and and considered in each and all of the aforenamed cases, which testimony is of the following character viz:

Affidavits of Martha A. Goss and John Goss stated in tabular form, showing the geneology of the family from Jesse Lee and Nancy Lewis down to applicants

Affidavit of J. S. Wolf deceased

Affidavit of George Colbert Chickasaw Indian

Affidavit of John Goss

All of which is respectfully submitted,

For himself and all the above named applicants. D. C. Lee.

POOR ORIGINAL -
BEST AVAILABLE COPY

The State of Miss. Carroll County. ss

Mrs. Mary McEachern afeafter being duly sworn says that she is 85 years old and her postoffice address is Valden Miss, and that she was personally acquainted with Ben and nancy Lewis who was part Indian by blood, about half breeds, but did not know what tribe of Indians they belonged to, and that Nancy Lewis was the wife of Jesse Lee and she was the mother of Asa Lee deceased and that hs elived near neighbor to Asa Lee until his death in 1844 and that he died in left a family of eight 8 children to-wit: Ben who married and died and left a family of three children Ben and Lewsis and one girl ; 2nd Martha married John Goss and 3d Elizabeth who married Cyrus Rayborn and he died and left 3 children and then she married Jas. Walker and 4th Elisha died and left no family 5th John H. married and has 5 children and 6th Dewitt C. married and has a family and 7th Mary and 8th Asa married and died and left 2 children.

Mary McEachern

Sworn to and subscribed before me this the 18th day of Aug. 1896

J. H. Lee J. P.

State of Miss Carroll Co.

I Samuel Nash chancery clerk of said county do hereby certify that J. H. Lee whose genuine signature appears to the within certificate is now and was at the time of signing the same a legally qualified Justice of the Peace for said County and is under the laws os said state auhthorized to administer oaths and to certify the same.

Witness my hand and seal of office at Carrollton Miss this Aug 27th 1896

(Seal)

Samuel Nash Clerk.

State of Miss Carroll county. ss.

Samuel McCrary after being sworn says on oath that he got acquainted with Asa Lee deceased in 1835 and lived a near neighbor to him until he died in 1844 and left a family of eight children to-wit 1st Ben who married and died and left three children 2 boys xxxx Jesse and Ben and one girl; 2nd Martha who married John Goss and 3d Eliza who married Cyrus Rayborn & 4th Flisha Dead & 5th John H. , married and has 5 children ; and 6th Dewitt C. married and has family and 7th Mary and 8th Asa and they claim to be part Indian but don't know what tribe they belong to and that he is 77 years old and his post office address is Westation Miss.

Samuel McCrary

Sworn to and subcribed before me this 19th day of Aug 1896

J. H. Lee J. P.

State of Miss Carroll Co. I Samuel Nash Chancrery clerk of said county do hereby certify that J. H. Lee whose genuine signatue appears to the within certificate is now and was at the time of signing the same a legally qualified Justice of the Peace of said county and xxxxxxxxxxxxxxx is under the laws of said state authorized to administer oaths and certify the same.

Witness my hand and seal of office at Carrollton Miss. this Aug 27th 1896

(Seal)

Samuel Nash Clerk

POOR ORIGINAL -
BEST AVAILABLE COPY

End

1896 chic 230

NV, 1109

Before the Dawes
Commission on
Citizenship in
the Five Tribes

Jesse W. Lee

vs

The Chickasaw
Nation

Petition & Proof
Filed Sept 5-1900

A.S. McKennon
Comr

John Watkins
Claimant.

REGISTRY RECEIPT.

Post Office at .....

Registered ~~Letter Parcel~~ { No. 147 Rec'd 9-4-1896

of John Watkins

addressed to Hon P. S. Mosely-
Wapanucka I.T.

(1) .....P. M.

Ind
Nor

th

r

registered at the Post office at Muscogee Indian Territory

addressed to Hon. P. S. Mosely, Gov. Chickasaw Nation, ,

~~Wapanucka, Indian Territory~~ Wapanucka, Indian Territory, (And if not there

foward to Tishomingo Indian Territory) That registry receipt No

147 received from Post Master hereto attached isa receipt

for said package, which contained true copies of the application &

of J. N. Lee ns of the affidavits of D. C. Lee Mary

McEachern & Samuel McCrary in support of the same

Subscribed and sworn to before me on this 11 day of September

1896.

John H. Kraft

Notary Public.

Indian Territory
Northern Districyt

I, Will. E. Lee do solemnly swear

th t on the 14th day of September 1890, I saw a package

registered at the Post office at Muscogee Indian Territory

addressed to Hon. P. S. Mosely, Gov. Chickasaw Nation, ,

~~Wapanucka, Indian Territory, (And if not there~~ Wapanucka, Indian Territory, (And if not there

foward to Tishomingo Indian Territory) That registry receipt No

147 received from Post Master hereto attached isa receipt

for said package, which contained true copies of the application f

of J.N. Lee ~~and~~ one of the affidavits of D.C. Lee Mary

McEachern & Samuel McCrary in support of the same

Will. E. Lee

Subscribed and sworn to before me on this 17 day of September

1890.

John H. Kraft

Notary Public.

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Jesse H Lee the , undersigned, respectfully states that he is a Part Chickasaw Indian by blood, and asks to be enrolled as a member of the Chickasaw Nation of Indians in the Indian Territory. That he derives his said Indian blood from Nancy Lewis his Great Grandmother, who was a part Chickasaw Indian by blood. Nancy Lewis Married Jesse Lee. There first Child was Thomas. who was the Father of my Father. Thomas Lee.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the Chickasaw Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Chickasaw Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians

My age is 39 years. My Post Office address is Black Hawk. Miss

My family consists of the following-named persons: My wife and children, as follows:

Walter A Lee	, aged	15	years.
Lucy V	, aged	13	years.
Alice F	, aged	12	years.
Gertrude	, aged	10	years.
Nancy E.	, aged	8	years.
Wilburn H	, aged	7	years.
Ida M.	, aged	5	years.
Thelma	, aged	3	years.
J. H	, aged	1/2	years.
	, aged		years.

WITNESS my hand this 24th day of August 1896.

Jesse H. Lee

State of Mississippi
Carroll County } ss.

Personally appeared before me, the undersigned authority, Jesse H. Lee to me known to be the petitioner in the above petition, who being by me first duly sworn, upon his oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

Jesse H. Lee

Subscribed and sworn to before me at Hamilton Miss

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Jesse H Lee Jr, undersigned, respectfully states that he is a Part Chickasaw Indian by blood, and asks to be enrolled as a member of the Chickasaw Nation of Indians in the Indian Territory. That he derives his said Indian blood from Nancy Lewis his Great Grandmother, who was a Part Chickasaw Indian by blood. Nancy Lewis married Jesse Lee. The first child was Thomas who was the father of my Father Lemuel C.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the Chickasaw Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Chickasaw Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 39 years. My Post Office address is Blackhawk Miss

My family consists of the following-named persons: My wife and children, as follows:

Walter A Lee	aged	17 years.
Guy W "	aged	13 years.
Nick F "	aged	11½ years.
Gertrude "	aged	10 years.
Nancy E "	aged	8 years.
William H "	aged	7 years.
Ida M "	aged	5 years.
Hallie "	aged	3 years.
J. H "	aged	1½ years.
	aged	years.

WITNESS my hand this 25th day of August 1896.

Jesse H. Lee

State of Mississippi
Carroll County

Personally appeared before me, the undersigned authority, Jesse H. Lee to me known to be the petitioner in the above petition, who being by me first duly sworn, upon his oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

Jesse H. Lee
Hemingway Mississippi

Subscribed and sworn to before me at this 25th day of August, A.D, 1896.

C. M. Smith J.P.

I do hereby Certify that C. W. Smith whose genuine Signature appears to the within Certificate is now and was at the time of signing the same a legally qualified Justice of the Peace of Said County and that he was authorized under the laws of Said State to administer Oaths and Certify same

Witness my hand & Seal of Office at Corrections Miss this Aug 27 1896

Danl Hall Clerk

Jesse N. Lee
Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY

Indian Territory
Northern District.

Benjamin C. Lee being duly sworn deposes and says

My name is Benjamin C. Lee and I am the same Benjamin C. Lee who

has made application in the annexed petition for admission and enrollment as a member of the Chickasaw Nation of Indians.

I am a full brother of John C. Lee, Carey D. Lee, Ellen Polly Lee and Birth Dean now living who have likewise made application for admission and recognition as member of the said Chickasaw Nation. I am the children by blood of Ben C. Lee and Jessie E. Lee who are the sons of Ben Lee deceased my brother. They have each made application for their proper enrollment. As members of the Chickasaw Nation. We are full bloods. We derived our Indian blood from our father Ben Lee and he from his mother Nancy Lee nee Nancy Lewis our grand mother. All of the above named were born in the State of Mississippi and are in the manner set forth in their sworn petitions.

The said affiant attaches hereto as testimony in the case by reference the original affidavit of Nancy Anderson and Samuel McCurry and copies thereof to the several petitions of the above named petitioners in which said testimony has been entered as testimony in each and all of said cases.

B. C. Lee.

Subscribed and sworn to before me this 2nd day of September 1906.

John H. Kingler
Notary Public.

The above named affiant and petitioner further states and asks that the testimony attached to the petition of his sister Martha A. Goss one of the aforenamed applicants be taken and and considered in each and all of the aforenamed cases, which testimony is of the following character viz:

Affidavits of Martha A. Goss and John Goss stated in tabular form, showing the geneology of the family from Jesse Lee and Nancy Lewis down to applicants
Affidavit of J. S. Wolf deceased
Affidavit of George Colbert Chickasaw Indian
Affidavit of John Goss

All of which is respectfully submitted,

For himself and all the above named applicants. B. C. Lee.

State of Miss. Carroll County ss.

Mrs. Mary McEachern after being duly sworn says that she is 85 years old and her post office address is vaiden Miss; and that she was personally acquainted with Ben and Nancy Lewis who was part Indian by blood, about half breeds; but did not knoww xhx what tribe of Indians they belonged to;and that Nancy Lewis was the wife of Jesse Lee and she was the mother of Asa Lee deceased and that xxxxxxxxxxxxxxxxxxxxxshe lived near neighbor to Asa Lee until his death in 1844; and that hedied and left a family of eight 8 children to-wit: Ben who married and died and left a family of three children Ben and Lewis and one girl; 2nd Martha married John Goss and 3d Elizabeth who married Cyrus Rayborn and he died and left 3 children and then she married Jas. Walker and 4th Elisah died and left no family; 5th John H. married and has 5 children and 6th Dewitt C. married and has a family; and 7th Mary and 8th Asa married and died and left2 children.

Mary McEachern

Sworn to and sunscribed before me this the 19th day of Aug. 1896

J. H. Lee J. P.

State of Miss. Carroll county

I Samuel Hash chancery clerk of said county do hereby certify that J. H. Lee whose genuine signature appears to the within certificate is now and was at the time of signing the same a legally qualified Justice of the Peace for said county and is under th laws of said state authorized to administer oaths and to certify the same.

Witness my hand and seal of foffice at Carrollton Miss this Aug 27th 1896

(Seal)

Samuel Hash Clerk

State of Miss Carrol l Co. ss

Samuel McCrary after bein sworn says on his oath that he got acquainted with Asa Lee in 1835 and lived a near neighbor to him until xxxxxxxx he died in 1844 and left a family of eight children to-wit 1st Ben who married and died and left 3 children 2boys Jesse and Ben and one girl; 2nd Martha who married John Goss and 3d xxxxxxxxx Eliza who married Cyrus Rayborn and 4th Elisha dead and5th John H. , married and has 5 childrn and 6th Dewitt C. married and has family and 7th Mary and 8th Asa and they claim to be part Indian but don't know what tribe they belong to and that he is 77 years old and his post office address is Westation Miss.

Samuel McCrary

Sworn to and subscribed before me this 19th day of Aug. 1896

J. H. Lee, J. P.

State of Miss, Carroll Co.

I Samuel Hash Chancery clerk of said county do hereby certify that J. H. Lee whosegenuine signature appears to the within certificate is now and was at the time of signing the same a legally qualified Justice of the Peace of said county and is under the laws of said state authorized to administr oaths and certify the same.

Witness my hand and seal of office at Carrollton Miss this Aug 27th 1896

(Seal)

Samuel Hash Clrk

End

1896 Chic 231

REGISTRY RECEIPT.

Post Office at Duncan I.T.

Registered ~~Letter~~ Parcel No. 84 Rec'd Sept 5, 1896

of J. P. O. Duncan I.T.

addressed to His Excellency Palmer Mosley

Tishomingo I.T.

J. J. Nicholson P.M.

United States of America,
Indian Territory,
Pickens District.

I H. M. Wolverton do solemnly swear that on the 5th day of September 1896 I saw a package registered at the Post Office at Duncan, Indian Territory Addressed to His Excellency Palmer Mosley Chief of the Chickasaw Nation Tishomingo Indian Territory; That registry receipt No. 84 hereto Attached is receipt for said package which contained true copies of the Application of James W. Gourrigan and of the Affidavits of W. W. Ellis, Celia Ellis, N. C. Powell, Morrow Powell, Nancy F. Pearson and Henry Hudson in support of same. That I have no interest in the prosecution of this Claim.

H. M. Wolverton

Subscribed & Sworn to before me this the 5th day of September 1896. and I certify that the Affiant is a creditable person & that I have no interest in the prosecution of this Claim.

Thos. M. Smith

Notary Public

Application for Citizenship

United States of America Indian Territory,

To the Hon Henry L. Dawes, Chairman
of Dawes Commission
Vinita I. T.

Your petitioner, the undersigned being duly sworn, on his oath respectfully states that his name is James M. Journigan, age 51 years, and that he is entitled by blood to Citizenship in the Indian Territory, for the following reasons to wit:

My grand father's name was Ben Journigan, My grand Mothers name was Pollie Journigan, her Maiden name was Pollie Vann; She was a full blood Chickasaw Indian My Grand parents raised Eight Children; their names were as follows to wit:

William Journigan, Edward Journigan, Joseph Journigan, Eady Journigan, Celia Journigan, Clara Journigan, Pollie Journigan, and Ben Journigan, all of whom are deceased except the youngest Ben Journigan, who if living would be 78 years of age, He was when last heard from living in the State of Florida.

My father's name was Ciro Journigan, My Mothers name was -

I Lucy Jonnigan, My father was a one half blood Chickasaw Indian - being the Son of My Grand parents, Ben and Phillie Jonnigan, This is what I have always been taught by our family & done as to Genealogy of My Grand parents Nationality.

That his family and relationship consists of following named persons, Wife & Children, — Names and ages as follows (James W Jonnigan age 51 years.)

Lee Jonnigan	age	20	years
Rochel Jonnigan	"	18	"
Warren Jonnigan	"	15	"
Henry S Jonnigan	"	12	"
Eva Ida Jonnigan	"	9	"
Richard W. Jonnigan	"	3	"
Marvin Cairo Jonnigan	age	6	years

And respectfully ask to be enrolled with each Member of his family as Members of the Chickasaw tribe of Indians in the Indian Territory.

Your petitioner states the above facts as the lawful grounds for citizenship in said

Chickasaw Nation, } ss
Pays that his Citizenship be
investigated by your honorable
body, and that he be recognized to
be a Citizen of said Chickasaw
Tribe of Indians, and entitled to
all the rights and privileges
pertaining to such Citizenship
in accordance with the laws and
treaties made by the said Tribe
of Chickasaw Indians.

Witness my hand this the
1st day of September A.D. 1896.

James W Gourrigan

Witness
W W Wallis
A Powell

Subscribed and sworn
to before me, the undersigned authority
on this the 1st day of September
A.D. 1896. And I Certify that the
Applicant is a responsible and creditable
person worthy of belief, and that
I am not interested in the
Matter to which this Application
relates. Witness my hand and seal of office on
this the 1st day of September A.D. 1896.

J C Cain
Notary Public
Bexar County Texas.

Commission
Expires June 7th
1897.

State of Texas
County of Bexar

Before me J. C. Carr a Notary Public in and for the County and State aforesaid personally appeared Henry Hutson, age 23 years - who being by me duly sworn on his oath deposes and say! that he is personally acquainted and knows for the past 7 or 10 years "James H. Jennigan" of Utopia U. Valde Comty Texas, and that he is the person he represents himself to be in this Application for Citizenship in the Chickasaw Nation Indian Territory, that Applicant is a Gentleman of strict integrity and to his Nationality Verily believes him to be of Indian blood. Henry Hutson

Subscribed Sworn to before me this 15th Sept 1896.

J. C. Carr
Notary Public in and for Bexar County Texas.

My Commission expires June 7th 1897

2 31

Jan 24 [illegible] — D.

vs

Chickasaw Nation

#7410

Filed 26 7/4 1896

A. M. Thomas

Clerk

J. P. Campbell atty

Chickasaw Nation

State of Texas
County of Bexar

Before me J. H. Carr
a Notary Public for the County and
State aforesaid personally appeared
W. W. Ellis and his wife Celia Ellis,
C. N. Powell and his wife Manerva
Powell — and Mrs. Nancy V. Pearson,
Ellis & Wife of Dilley Frio County Texas,
and Powell and wife and Mrs. Nancy
V. Pearson of San Antonio Texas —
all to me well known.
And all being by me duly
sworn on their Oath
respectively each — that
each and all of them are personally
acquainted with James M.
Pennington of "Utopia"
Uvalde County Texas, and know
him the said James M. Pennington
to be the person he represents
himself — to be in his Application
for Citizenship in the Chickasaw
Nation Indian Territory;
That "Applicant" is a brother of
Nancy V. Pearson, and of Mrs Manerva
Powell, and Cousin to Mrs Celia
Ellis. {all interlineations and Corrections made
before signing}

W. W. Ellis
Celia Ellis
C N Powell
Manerva Powell
Nancy V Pearson

Subscribed and Sworn to
before Me, this 1st day of
September A.D. 1896, And I fur-
ther Certify that I am
well acquainted with said
W. W. Ellis and his wife Celia Ellis,
And C. N. Powell and his wife Manerva
Powell — and Mrs Nancy V. Pearson
and know them respectively to
be persons of Credibility and of
truth and veracity. J. H. Carr
My Commission Expires June 7th 1897.

Notary Public in and for
Bexar County Texas.

FRAME 1

Sworn on their Oath
respectively say - that
each and all of them are personally
acquainted with James W.
Jennigan of "Utopia"
Wallace County Kans, and know
the said James W. Jennigan
him to be the person he represents
himself to be in his application
for Citizenship in the Chickasaw
Nation Indian Territory;
That "Applicant" is a brother of
Nancy V. Pearson, and of Mrs Minerva
Powell, and Cousin to Mrs Celia
Ellis. all interlineations and corrections made
before signing

W W Ellis
Celia Ellis
C N Powell
Minerva Powell
Nancy V Pearson

Subscribed and sworn to
before me, this 1st day of
September A.D 1896. And I
further Certify that I am
well acquainted with said
W W Ellis and his wife Celia Ellis,
And C N. Powell and his wife Minerva
Powell — and Mrs Nancy V. Pearson
and know them respectively to
be persons of Credibility and of
truth and Veracity. J. A. Carr
Witness My Hand and Seal
Sept 1st 1896

Notary Public in and for
Beaver County Okla.

My Commission
Expires June 7th
1897.

FRAME 2

End

1896 chic 232

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Jefferson J. Lewis et al
for Enrollment in the Chicka-
saw Nation.

)) A N S W E R ((

Filed Oct. 31, 1896,

H. M. Jamison

Secy.

Nonsuited to
Lewis on Complaint

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation of Jefferson J. Lewis et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the rules of the Commission; and without consenting to, but denying the jurisdiction of the Honorable Commission to pass upon a question of citizenship in the Chickasaw Nation of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and have at all times been, citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively that they are entitled to enrollment in said Nation; it further alleges the fact to be that the petition of the applicants herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits attached hereto, and asks that they be considered a part of this answer.

W H E R E F O R E , It prays that the applicants be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application of Jefferson J. Lewis et al for Citizenship in the Chickasaw Nation.

Indian Territory,
Chickasaw Nation. } ss. --: Affidavit of C A. Burris :--

Before me, the undersigned authority, on this day personally appeared C. A. Burris, who, being first sworn, deposes and says: My name is C. A. Burris; I am 67 years of age, and am a Chickasaw Indian by blood I came to this country with the Chickasaw Tribe of Indians from the state of Mississippi in the year 1837, and have lived here ever since; I have been a member of the House of Representatives of the Legislature of the Chickasaw Nation; also a Senator; District Judge; Supreme Judge, and was this year Delegate to Washington in the interest of the Chickasaw Nation. I was well acquainted with the Lewis family, who were full-blood Chickasaws; the oldest one was named George Lewis, the next one Ben, and the other John Lewis; they had one sister whose name was "Charlotte", sometimes called "Chalite," called by the Africans, "Charity"; Charity Lewis was never married; they had no brother by the name of William Lewis, through whom the applicants claim; this is the only Lewis family I ever knew who were Chickasaws, and these are all there were of the family.

C. A. Burris

Subscribed and sworn to before me on this the 24th day of October, A. D., 1896.

[illegible]
Notary Public.

In the Matter of the Application for Enrollment in the Chickasaw Nation

of_____

-----o-----

Indian Territory,)
) ss.
Chickasaw Nation.)

--: Affidavit of Mrs. Elizabeth Wolf :--

Before me, the undersigned authority, on this day personally appeared Mrs. Elizabeth Wolf, who, being duly sworn, deposes and says: My name is Elizabeth Wolf; I am the wife of Jonas Wolf, who was formerly Governor of the Chickasaw Nation; I am a Chickasaw Indian by blood, and am about 43 years of age; I was born at or near Boggy Depot, in the Chickasaw Nation, and have always lived in the Chickasaw Nation; John Lewis, through whom the applicants claim, was an brother of my mother, and I knew him well; he had one sister, named "A-chi-ho-ka"--that was her Indian name; she was never married; I don't know whether her English name would have been "Charlottee" or "Chalite" or not; she never had any children by the name of"Lee"; I knew her when she died; this John Lewis, my uncle, was the only Chickasaw by that name that I ever knew; I never knew of any of my relations marrying a man by the name of "Lee".

her
Elizebeth + Wolf
mark

Subscribed and sworn to before me on this the 22nd day of October, A. D., 1896.

C. H. Adams

Notary Public.

TO THE HONORABLE DAWES COMMISSION:

Ex Parte Jefferson J. Lewis et al

Now comes the Chickasaw Nation, by its attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

#737

Ex parte

Jefferson Lewis
et al

Petition

FILED SEPT 30 1896

A. S. McKENNON

Clerk

(1)

(1)

Tishomingo Chickasaw Nation, 25.

To the Honorable Dawes Commission
Vinita I.T.

Hon. Comrs.

Jefferson D. Lewis and says that he is the son of J. William Lewis, a Chickasaw Indian. and that his family consists of the following named persons, Polly Lewis his Mother. and John A Lewis his brother. Harriet M McCollum Sorah J. Lewis Nancy Fields and Martha T Lewis, his sisters.

He therefore prays your Honors to Examine the accompanying Affidavits and do what is just and right in the premises. believing that you will agree that he is justly entitled to citizenship in the Chickasaw Nation and should be enrolled as such.

Jefferson D. Lewis

State of Arkansas
County of Washington

On this day comes John Reed and after being duly sworn says my name is John Reed and I live in Washington County, Arkansas and am personally acquainted with Jeffison J. Lewis and have known him for twenty years He is a son of William Lewis who was a brother of Charity Lewis who is the Mother of James H Lee and was the wife of James A Lee and was afterwards the wife of George Morgan
That he is in noway interested in the claim of the said Jeffison J. Lewis for citizenship in the Nation

John. Reed

Sworn and Subscribed to before me this 23rd day of March 1896

James. F. Rieff
Notary Public

My Commission Expires June 25th 1896

State of Arkansas
County of Washington)

Polly Lewis on oath states that she is 73 years old and lives in Fayetteville Ark and

That she is the mother of Jeff Lewis and she has one Brother and four sisters and their names are as follows. Harriett M. McCollom, Sarah J Lewis John A. Lewis Nancy Fields and Martha J Lewis who were all the children of William R Lewis & myself

Polly her x Lewis
mark

Attest
W. S Pollard
R. A. Houghton

Subscribed and sworn to before me this 10th day of August 1896

W. S. Pollard
Notary Public

My Commission expires
1st day of February, 1897.

State of Arkansas
County of Washington

On this day comes Nellie Lewis and after being duly sworn says My name is Nellie Lewis and I live in Washington County Arkansas and am personally well acquainted with J.J. Lewis and have known him all his life. He is a son of Wm Lewis who was a brother of Charity Lewis who is the mother of J.H. Lee and was the wife of J.H. Lee and was afterwards the wife of George Morgan.

That she is in no way interested in the Claim of the said J.J. Lewis for Citizenship in the Nation.

Attest
W. D. Pickard

Nellie her + Lewis
mark.

John Cleveland

Subscribed and sworn before me this 21st day of March 1896

W. D. Pickard
Notary Public

My Commission expires
21st day of February, 1897.

No. ~~389~~ 232

Jeff J. Lewis,

vs

Chickasaw Nation

Filed Aug. 31-1896

A. S. McClennon,
Clerk

Rejected

Receive of R. L. Boyd, a copy of his application of Jefferson F. Lewis, to the Dawes Commission for citizenship in the Chickasaw Nation, and also copies of the affidavits of John Reed, Dolly Lewis, & and Nellie Lewis, in support of same, this 27th day of August 1896

C. J. Mosely,
Governor of the Chickasaw Nation

Petition of
J. B. Lewis for
Citizenship in the
Chickasaw Nation

No. 389.

8/31/96

Rejected Dawes, Commission
Vinita

L.G.

End

1896 chic 233

[illegible] of Mr. Nolle
[illegible] his case of proving citizenship
according to Law, $500.00

Chas Burris
Chairman
Court of Claims

[illegible]
[illegible]
[illegible]

Received of B. A. Boyd a copy of the application of J. H. Lee, to the Dawes Commission for citizenship in the Chickasaw Nation and also copies of the affidavits of Harkins Selby, Wallace Underwood, B. F. Kemp, D. L. Mosely, Mrs Mary Ann Smith, Mrs Rachel Colbert, Wm Duke, and Sam Duke. In support of same. This 27th day of August 1896.

D. L. Mosely
Governor of the Chickasaw Nation

POOR ORIGINAL -
BEST AVAILABLE COPY

No. 387

L. H. Lee

vs.

Chickasaw Nation

Application of L. H. Lee for Family Rights

Filed Aug. 31 1896,

R. L. Williamson
Comm.

Rejected —
See same action in
application L.

POOR ORIGINAL -
BEST AVAILABLE COPY

[illegible] that [illegible]
[illegible] [illegible] allowed by the
court in [illegible] in law to
investigate all charges for
[illegible] and in the underseal
[illegible]

And further says that in the
testimony [illegible] [illegible] would
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] the
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] recorded as
[illegible] [illegible] Interpreter.

And further says that he
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]

that the rights to citizenship
be undisputed and grant such
other relief as may return. &c. &c.
&c. &c. &c. for which petitioner will ever pray.

James his x mark Lee.

Indian Territory
Southern District } ss

On this 30th day of July, 1896.
personally appeared before me a notary
Public James H. Lee and acknowledged
that he is the party mentioned in the
foregoing instrument.

Notary Public.

Case of J. N. Lee
For Murder of Perkins Healy

After being duly sworn testifies
as follows to wit John Lewis Neal died
and the woman's name was named Chaddy
a little while before that we broke
out they lived near Boggy Depot. I was
quite a young man when I lived there
Questions by Court
Do you know this man Lee to be a
son of Chaddy
Ans— I do. This man Lee's step father was
named Mocken I used to see him
working in the black smith Shop
Ques— Do you ? This man's Father
Ans— I do not I only know his step
Father
Ques Do you know in what year you
knew Chaddy
Ans I do not know
Att'y Questions
Do you know this man J. N. Lee
to be the man you then knew
Ans— I do —
Att'y's Questions
About how old was this man Lee when
you knew him
Ans— I do not know he was a young man
we were about the same age.

Ques - Did you know this woman
Chealey Ann before she married this man
Mookini -
Ans - When I first saw them they were
together -
Ques. Were you old enough to go into
the water
Ans. I was not, but visited in the 3rd
year
Ques Do you know whether this man
Lewis is the son of Chealite
Ans - I do not know the time they
lived here
his
Hankins X Lewis
mark

Testimony of Wallace Underwood
after being
duly sworn testifies
I went to school at Boggy Depot
when I knew Lewis. He was living
with his mother - His mother was a
Chickasaw - sister to John Lewis, Mother
was named Chealite. I did not know
his father, his step father was a black
Seminole and was a white man. I do
not know how old Mr Lewis was He was
a good big boy about grown about 17 or 18
years old

Q did not go to the town school
the most of they were all living there
when they were broke out, and Does
not know when they went to them
Jews- What you did you go to school
Ans I does not know what year it was
Pete Jews-
So this the man Lee whom you
then knew-
Ans It is
Does-Atty Jews-
(How old are you
Ans I do not know I think about forty
Jews Did Pete's wife Lee's mother ever was living
Mr Jews
Ans I do not know who she married
Jews Was Lee's father living at the time you
went to school on Bayou Depot
Ans He was living at the time then died.
then married a white woman after
Q How long did he live after you went
to school there
Ans It are lived there about 5 years and I
went to school from home
Jews- Was this man Lee a grown man or
a school boy when you lived there?
Ans He was about 17 years old-

Jews- How long before the war was it
when you went to school there
Ans (Ans) I went about two years and during
the last session the war broke out
then we began to scatter & move out
Jews Did Mrs Adelite Lewis any other
children
Ans. This is the only one I ever had
Jews Do this by your own personal
knowledge that she is Adelite
Lewis Yes-
Jews How long have you been acquainted
with Mrs Adelite Lewis
Ans I found her when I went to
school there
Jews How you acquainted with Adelite
Lewis When you went to school there
Ans I only found her from that time
I went to school
Jews Was this man Lee old enough to
go into the army
Ans. I do not know I what age they
were allowed to enlist-
Jews Were you there for Jenny to enter
Ans I did not know how old I had to
be to go for Jenny

(Copy of Questions)
Which of these men (Richard Lewis
or Captain Lewis was his uncle
(His (Richard) Lewis -
Walla Walla Underwood
Mark

Testimony of B. F. Kemp.

Mr Kemp after being duely sworn testifies as follows
John Lewis who a brother in Law of mine
married my own sister - John Lewis had only
one sister and she died in Kimble a She & his
John Lewis had no English name when
he was young and he took the english name
from his brother Ben Lewis. I was acquainted
with John Lewis and he never claimed to be
any thing but a full blood Indian. To the
best of my knowledge they called his sister
Acalite. This John Lewis died in Panola County
and was buried there, To the best of my knowledge
Acalite had no Children, and was an old woman
who lived all by her self.

Bro. Kelly Questions ?

Do you know whether this woman lived
at Boggy Depot with John Lewis
Ans - I do not think she did -
Ques - Do you know about the time Acalite died
Ans - About 1859
Ques - About how long have you known
this family -

Ans- I Cannot remember the family since about the year 8188 & 90-

Ques- Do you know whether they had any kin folks by the name of Lee-

Ans- I do not-

B F Kemp

D. L. Mosely after being duely sworn to says as follows-

I went to school at Boggy Depot 3 years- I was acquainted with Wallace Underwood and at that time I did not know Sealite Lewis or the Lee or Morgan families Bros, Allyo Justices-

Was not the Country very thinly settled at that time

Ans, It was hardly any white people at all livid here then-

Ques- Did you know this John Lewis who lived there

Ans- I did

Ques Was he a full blood indian

Ans He was

Ques Did he have a sister living then at that time

Ans None as I know of

Ques Do you know whether there was a boy about 17 or 18 years old living then,

Ans I did not
Ques If you had been you would have
you would have known it-
Ans- I would-
Ques Questions
What time and year was it that you
went to school there
Ans- I cant tell the year it was a little
before the war & after the war-
Ques- About how long was it- before the war
Ans about a year or two-
Ques. Did you know a Black Smith in the
town of Bogey Depot
Ans I did not
Ques How old are you
Ans- I am about 45- this Evening Sept
P. J. Mobley-

Affidavits

Testimony of Mary Ann Smith
Indian Territory
Cherokee Nation
3rd Judicial Division

Be it this 19th day of June 1895
personally appeared before me a Notary Public
within and for the 3rd Judicial Division Indian Territory
Nation, Miss Mary Ann Smith a former Indian
woman being sworn says: My name is Mary
Ann who lives in Miss. on the Illinois
River, near Tallequah, She was a Cherokee
Indian. She was born near the Cherokee
ground to whom they are now located
I knew she married James Allen, as I kind
mean them, She was related to my mother
whose name was Charity Allen, their children
were Lizzie & James dead & Known, Dal so known
John Lewis wife who was an Allen, but I do
not remember whether she was James Allen's
daughter or Alex Allen's daughter. They had
the following children, John, Alex, Lizzie
Betsy and Charity. Charity had a mole or wart
on her cheek. They all lived in the same
neighborhood in Miss. Charity Lewis married
a man by the name of Lee. they lived about
4 miles from where I did, after this appe
were coming to this Country we camped at Mrs
Charity Lee's house, She was then married to
a man named Morgan

Jim Cat Evans with his stout old people
& old Grandfather Evans & one of their
Daughters in the Child to [illegible] See
and Examined one of Injured fingers on the
Child's Left hand that said hand been cut
with a Hatchet, It was the first finger on the
left hand, the Joint of the hand. This occurs
near Vanburen Ark. Her husband Morgan Lead
a Dear across his face pushed him & had
been cut with a Hatchet, Mr Jas Lee the man
now present & recognize as the Child of Mrs
Lee & Evans Mrs Morgan, by this crippled fin
ger spoken of - His resemblance of his Mother
and by this pecaliar accident, that happened
and their resemblance we describe, I am
about 100 years of age, Betsy Love John
Lewis & wife and Clemily Lewis your Chickasaws
by blood James Allen and Lee your white men

Mary Ann Smith
Mark

Attest
Agnes Bean
Jno Williams

Sworn & Subscribed before me this
the 19th day of June 1903

Daniel Williams
Not Pub

10 Affidavit in Racheal Colbert's
Judicial Territory /
2d Jud Dis
Cleveland Nation

On the 10th day of June
1896 personally appeared before me A Nolan
a notary within and for the second Jud Dis
of the Cleveland Nation Jud Ter Mrs Racheal
Colbert a former Indian slave who being
duly sworn says. I knew Betsy Love who lived
near Miss River in Miss near Talahassa, she
was a Chickasaw Indian. This was before
the Cleveland war moved to this Country. I knew
that she married James Allen as I lived
near them She was related to my mistress
whose name was Clarity Allen. Their children
were Lizzie and James Neal. I knew. I
also knew John Lewis wife who was an Allen
but I do not remember whether she was a
daughter of James Allen, or Alex Allen
They had the following children John
Alex, Lizzie Betsy and Clarity Clarity &
I had a house or work on her block. They all
lived in the same neighborhood in Mobs.
Clarity Lewis married a man by the
name of Lee they lived about 9 miles
from Nelson & bro. After this as we
were coming to this Country we camped

11

ah Mrs Charity Lee's house. She was then
married to [illegible] Dr. Colbert [illegible]
about 18 times and spoke in Miss. spoke
of one of her children as the child of
James Lee, and showed me a crippled
finger on the child's finger under the
bird had been very much bleached. It was
the first finger on the left hand being
stiff and crooked in towards the palm. This
was seen in her own ark. Her husband
[illegible] had a scar across his face, looked
as though been cut with a knife. Mrs Jo Lee
she when was known. I recognize as the
child of Mrs Lee after many years by
this crippled finger. and relating incidents
that happened and the [illegible] he describ
Betsy Love John Lewis & wife and
Charity Lewis were electcarans by blood
Allen and Lee were white men

Attest
Daniel M Miller
Wm Pursell

his
X Colbert
mark

Sworn to and subscribed before me this 16
day of June 1893

D C Blossom
Not Pub

12 affidavit.

Testimony of Wm Duke

Indian Territory
2d Jud Div
Cleveland Nation

Be it known that on this 14th day of July 1891- personally appeared before me a Notary Public within and for the 2nd Jud Div Cleveland Nation Wm Duke who is a full blood Chickasaw Indian who being duly sworn says, that in the summer of the year of 1874 at Boggy Depot Cleveland Nation Ind Ter. He met Clarity Lewis the wife of James Lewis afterwards Clarity Morgan & he knows the Clarity Lewis to be a Chickasaw Indian by blood and at the time he met her at Boggy Depot, said Clarity Lewis then Clarity Morgan was then at the home of her uncle John Lewis a full blood Chickasaw Indian - Said Clarity Lewis then Clarity Morgan had two children with her then - one of which was Jeff Lee and said Wm Duke further states on his oath that said Jeff Lee is a son of Clarity Lewis afterwards Lee after marriage to Wm Duke

his
Wm X Duke
mark

Witness
Wm Culley

Subscribed and sworn to and subscribed before me this the 14th day of July 1891-

J F D C Welch
Notary Pub

Indian Terr
82nd Jud Dist

On this 23rd day of Dec 1890-
personally appeared before me a Notary
Public duly and for the above named
District & Territory Sam Dick a full
blood Cherokee Indian Person
well known after being duly sworn by
me says. I know Clarity Lewis the
wife of James Lee, she often became
the wife of George Mayes I know
the said Clarity Lewis to be 1/4 Cherokee
Indian by blood the said Clarity Lewis
lived near Ambrose Ark. and in the
Summer of 1884 while the said Clarity
Lewis was on a visit to her uncle John
Lewis at Boggy Depot I. T. at this time I
was at work at the said John Lewis the
the said Clarity Lewis remained with her
uncle John Lewis about 3 months or
about all the Summer during which time
I became quite well acquainted with her
& know that the said Clarity Lewis had
two Children with her at this uncles
one of them was dot Lee the other was a
girl. The said John Lewis was a full
blood Cherokee Indian. The said Clarity
Lewis together with Clarity Lee & Lewis

14

(Cleanty Morgan, I am personally well
acquainted with both the parties Cleanty
Lewis and Dot Lee and I know that the
said Cleanty Lewis was one quarter (1/4)
Cherokee Indian and at this time
(1854) that the said child Dot Lee
was her child, and that I know this
child (Dot Lee) and this old man Dot Lee
to be the same person

his
Sam X Peters
mark

Witness
Thomas Ruby

Sworn to and subscribed before me this
above day

Jas W Adams
Not Pub-

Certificate Dot Lee
Office Court of Claims
Tahlequah, CN,
Aug 8th 1895-

This is to certify that Dot Lee has
filed his application for citizenship in
compliance with the laws of the Cherokee
Nation, and has been accepted by
the Committee subject to the approval
of the Legislature of the Cherokee
Nation

Attest

R H Nichols
Clerk

C F Burris-Chairman
Wm H Bowland
J Brown
Com

(2)

I hereby certify that the above and foregoing is a true and correct copy of the original evidence and certificate as appears on record in this office, which under my hand and seal of office this this 21st day of July A.D. 1896

C. H. Burnip
National Secretary
Checkweighmen's Institute

An Act to establish a Court of Claims

Sec 1 Be it enacted by the Legislature of the Chickasaw Nation. That there shall be established in the Chickasaw Nation a Court to be called the Court of Claims. said Court shall Consist of three Judges To be appointed by the Governor and who shall be men of mature age not under forty years of age and said Court shall try all Cases of Citizenship of person Claiming Chickasaw rights whose rights are disputed.

Sec. 2 Be it further enacted, that the Judges of said Court, shall open and hold their Court at Tishomingo City beginning on the first Monday in February and the first Monday in August 1875 and not to hold longer than twenty days in each Term.

Sec 3. Be it further enacted that the Judges of said Court shall at their first meeting elect a Chairman of said Court Clerk Sergeant At Arms and Interpreter all of whom shall receive four dollars per day for their services while actually engaged in holding Court to be paid out of the

National Treasury out of any money not otherwise appropriated

Sec 4 Be it further enacted. that the Chairman of said Court shall issue a Certificate to the Judges Clerks Sergeant at Arms, and Interpreter Certifying the number of days they Served. which Certificate when presented to the Auditor who shall issue his Warrant for the Same and said Warrant shall be paid by the Treasurer. agreeable to the third Section of this Act.

Sec 5 Be it further enacted, that all persons claiming Chickasaw rights shall be required to prove by at least two Citizens of blood Choctaw or Chickasaw their rights as Citizens and by depositions duly authenticated

Sec 6 Be it further enacted. that the Chairman of said Court shall be authorized to administer the oath to all witnesses in said Court.

Sec 7 Be it further enacted that the Chairman of said Court shall make a Complete transcript Copy of the proceedings of said Court in all Cases to be submitted to the

Le gislature for their approval or rejection and their decision shall be final.

Sec 8. Be it further enacted that all Claimants shall be required To pay their own witnesses and shall deposit with the Chairman of the Court Fifty dollars, to help defray the expenses of the Court. and who shall pay the same over to the Treasurer of the Chickasaw Nation

Sec 9 Be it further enacted that the District Attorney shall represent the Nation in all Cases. and the Commissions of the Judges Clerks Sergeant of Arms. and Interpreters shall expire at the adjournment of the Court in August 1895 And all acts Coming in Conflict with this Act. are hereby repealed and this Act take effect from and after its passage.

Recommended by
D. C. Lewis.

Approved December 22 1894.
P. S. Wisely
Governor
C. N.

Attest
J. F. White
National Secretary
C. N.

I hereby certify that the foregoing is a true and correct copy of the original now on file in my office. Given under my hand and seal of Office this the 18th day of October 1875.

L. A. Burris.
National Secretary.
G.M.

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of J. H. Lee et al for Enroll-
ment in the Chickasaw Nation.

--: A N S W E R :--

Filed Oct. 31, 1896,
W. W. Jacoway,
Secy.

--: REPORT THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

---o---

In the Matter of the Apliestion for Enrollment in the Chickasaw Nation

of J. H. Lee et al

---o---

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer, to said application, and respectfully represents:

First-- The Chickasaw Nation is not advised as to whether or not its Committee, appointed by it to pass upon claims of citizenship, grant ed the said Lee a certificate; but alleges the fact to be that said Committee was not authorized to grant certificates to anyone, but was only only authorized to hear evidence, and report the same to the Legislature of the Chickasaw Nation for approval or rejection; and that said Lee was rejected by the Legislature.

Second--It denies that the said Lee is a citizen by blood or marriage, and herewith submits the attached exhibits in support of the allegations herein.

W H EV R E F O R E , It pray s that the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attofneys.

In the Matter of the Application for Enrolment in the Chickasaw Nation

of _____

---o---

Indian Territory,)
) ss. --: Affidavit of Mrs. Elizabeth Wolf :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared Mrs. Elizabeth Wolf, who, being duly sworn, deposes and says: My name is Elizabeth Wolf; I am the wife of James Wolf, who was formerly governor of the Chickasaw Nation; I am a Chickasaw Indian by blood, and am about 43 years of age; I was born at or near Sugary Depot, in the Chickasaw Nation, and have always lived in the Chickasaw Nation; James brother Lewis, deceased also, was an ~~xxxx~~ brother of my mother, and I knew him well; he had one sister, named "A-chil-lo-ke"--that was her Indian name; she was never married; I don't know whether her English name would have been "Polly Colbert" or "Coulter" or not; she raised no children by the name of"Lewis"; I never knew her husband; this John Lewis, my ~~xxxxxx~~ uncle, was the only Chickasaw by that name that I ever knew; I never knew of any of my relations marrying a man by the name of "Lewis".

her
Elizabeth + Wolf
mark

Subscribed and sworn to before me on this the 22nd day of October, A. D., 1896.

Notary Public.

POOR ORIGINAL -
BEST AVAILABLE COPY

In the Matter of the Application of J. H. Lee et al for Enroolment in the Chickasaw Nation.

-----o-----

--: Affidavit of C. A. Burris :--

Indian Territory,)
)ss.
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared C. A. Burris, who, being first duly sworn, deposes and says: My name is C. A. Burris; I am 67 years of age, and a Chickasaw Indian by blood; I came to this country with the Chickasaw Tribe of Indians in the year 1837; and have resided here ever since; I have been a member of the House of Representatives of the Legislature of the Chickasaw Nation; also a Senator for many years; Delegate to Washington; District Judge; Supreme Judge, and was this year a Delegate to Washington on behalf of the Chickasaws; I was a member of the Chickasaw Court of Claims, as alleged; I did not consent to the granting of the certificate, as stated, because I was well acquainted with the John Lewis family, and knew that his sister, "Charity", known as "Charlotte", or "Chalite" Lewis, was never married that I ever heard of, and never had any children; I never knew of a man by the name of "James X Lee", until he presented his application for citizenship before the Court of Claims, claiming to have married the said Chalite Lewis; that the said Chalite Lewis never did live in Van Buren, Arkansas, that I ever heard of; and she is the only Chalite Lewis that I ever knew of who was a Chickasaw Indian by blood; I lived within five miles of her for three years; I knew them all the time; afterward they moved to within about thirty miles of me; I was well acquainted with the family, and knew John Lewis at Boggy Depot; and I believe that if she had ever married a manby the name of Lee, I would at least have heard of it; her brother, John Lewis, and myself, were intimate friends, and frequently talked together; I knew him afterwards, when he moved to Panola County, Chickasaw Nation, where he died, and I never heard of Chalie marrying this man Lee or anybody else.

Affiant further says: This Court of Claims, of which I was a member, only passed upon the testimony, and the granting of citizenship was reserved for the Legislature, who refused this applicant--the same as I had done, as a member of said Court.

_ C. A. Harris

Subscribed and sworn to before me on this the 21st day of October, A. D., 1896.

_ [illegible]

Notary Public.

In the Matter of the Application for Enrollment in the Chickasaw Nation of

-----o-----

Indian Territory,)
) ss. --: Affidavit of P. S. Mosely :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared P. S. Mosely, who being first sworn, on oath deposes and says: My name is P. S. Mosely; I am a Chickasaw Indian by blood, and am 45 years of age; I was born and raised in the Indian Territory; I have been Governor of the Chickasaw Nation, and have held many other important offices under the Chickasaw government; I am well acquainted with Billy Duke, Jackson Mosely and Wallace Underwood, and also Jack Pike; the latter is now in jail; I went to school at Boggy Depot, in the Chickasaw Nation, with all of these parties, and am well acquainted with them; I was a [illegible] year ahead; we entered school the same day and quit at the same time; we run together, and I am satisfied I had as good an opportunity to become acquainted with the family and relatives of John Lewis as any of these witnesses; I knew John Lewis well; but I never heard of his father ever being known by the name of "Lee", and I never heard of any person by the name of "Lee Lewis" a Chickasaw; the family of John Lewis were full-blood Chickasaws.

P. S. Mosely

Subscribed and sworn to before me on this the 28th day of October, A D., 1896.

[illegible]

Notary Public.

In the Matter of the Application for enrollment in the Chickasaw Nation of

-----o-----

Indian Territory,)
) ss. --: Affidavit of B. F. Kemp :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared B. F. Kemp, who, being duly sworn, on oath, deposes and says: My name is B. F. Kemp; I am a Chickasaw Indian by blood, and am 63 years of age; I came to this country from the state of Alabama in the year of 1837; I have been district Judge, County Judge, Senator, Legislator, and have held other important offices under the Chickasaw Government; I am familiar with the Chickasaws by blood and intermarriage; I was raised in Panola County, Chickasaw Nation, about six or seven miles from Island Bayou, and lived there from the year 1849 up to about ten years ago; I am a son of Jackson Kemp, Sr., I know Isaac Williams, J. S. Wolf, known as "Squire" Wolf; Sam Perry, William Simpson, also known as "Sim Casey"; Fred Humphreys, William Fisher, John Kemp, Patsy Hall: all of whom are negroes, with the exception of Sim Casey and Patsy Hall; their general reputation for truth and veracity is notoriously bad; I also know William Arcumby, who is a Chickasaw Indian; from my acquainteance with all of them having dealt with nearly all of them, I believe, through a matter of friendship or a small sum of money, they could be induced to swear to anything.

B. F. Kemp

Subscribed and sworn to before me on this the 26th day of October, A. D., 1896.

Notary Public.

Indian Territory,)
) ss.
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared, C. A. Burris, who, being first duly sworn, deposes and says: My name is C. A. Burris; I am 67 years of age, and am a Chickasaw Indian by blood; I came to this country with the Chickasaw Tribe of Indians from the state of Mississippi, in the year 1837, and have lived here ever since said time; I have been a member of the House of Representatives of the Legislature of the Chickasaw Nation; also Senator; District Judge; Supreme Judge, and was this year Delegate to Washington in the interest of the Chickasaws; there was a town in Mississippi, called Pontotoc, where the Chickasaws used to meet every year in a sort of a reunion, and I used to attend them; I never heard of a Chickasaw by the name of "Ben Lewis", "Martha Ann Lee", or "Isa Lee", or of any of their descendants until today; I believe that if any such persons had been members of the Chickasaw Tribe of Indians, that I would at least have heard of them by tradition; I am satisfied that the claim made by the applicants herein is fictitious and fraudulent.

C. A. Burris

Subscribed and sworn to before me on this the 7 day of October, A. D., 1896.

[illegible]

Notary Public.

Indian Territory,)
) ss. --: Affidavit of Jonas Wolf :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared Jonas Wolf, who, being first duly sworn, deposes and says: My name is Jonas Wolf; I am a Chickasaw Indian by blood, and am 65 years of age; I came to this country from Mississippi with the Chickasaw Indians; I have been Governor of the Chickasaw Nation, and have held other important positions under the Chickasaw Government; I am well acquainted with Isaac Williams, and a negro known as "Squire" Wolf; I have known them for about thirty years; I am also well acquainted with Sam Perry; I am informed that each of these men have made a great many affidavits in support of Claims to citizenship in the Chickasaw Nation; and I state, upon my oath, that each of these men are unworthy of belief; and would, in my opinion, for a small sum of money, make any kind of an affidavit that was written out for them; they are unreliable in every respect, and their general reputation for truth and veracity is notoriously bad.

Jonas Wolf

Subscribed and sworn to before me on this the 22nd day of October, A. D. 1896.

[illegible]

Notary Public.

Indian Territory,)
) ss. --: Affidavit of H. F. Murray :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared H. F. Murray, who, being first duly sworn, deposes and says: My name is H. F. Murray; I am 77 years of age, and have resided in the Indian Territory since 1854, and have been in the Chickasaw Nation since 1879; I am a practicing lawyer in the Chickasaw Courts; I am well acquainted with Isaac Williams, and a nother negro known as "Squire" Wolf, or J. S. Wolf, and have knowm them for ten or twelve years; I am informed that each of these men have made affidavits in support of citizenship claims in the Chickasaw Nation; and I state, upon my oath, that each of these men are unworthy of belief; and would, in my opinion, for a small sum of money, make any kind of an affidavit that was written out for them; they are unreliable in every respect, and their general reputation for truth and veracity is very bad.

H F Murray

Subscribed and sworn to before me on this the 22nd day of October, A. D., 1896.

Notary Public.

(C o p y)

The Chickasaw Nation.....Plaintiff,)	Charged Perjury, by Indictment
)	January Term, Dist. Court,
vs.)	1876. Case Docketed for the
)	County of Pontotoc for the
Billy Duke.....Defendant.)	April Term, Dist. Court,1876.

Witnesses:
MADISON BROWN,
B. F. PERRY,
HO-PIA-TUBBY,
BILLY PERRY.

April 24th, 1876:

District Court met, pursuant to adjournment; the perjury case of Billy Duke was called, and on the 26th a continuance to the July Term, Dist. Court, was granted.

H. COLBERT, C.C. & P. Clerk.

July 24th, 1876.

District Court met pursuant to adjournment; the perjury case of Billy Duke was called; a change of venue to Panola County was granted, July 25th, 1876.

THOS. W. JOHNSON, Clerk pro tem.

ROBT. L. BOYD,
Dist. Judge.

-----o-----

I hereby certify that the above is a true and correct proceedings had in the Dist. Court of Pontotoc County, Chickasaw Nation, with the perjury case of Billy Duke. This the 2nd day of September, 1876.

H. COLBERT, C. C. & P. Clerk.

-----o-----

Indian Territory,)
) ss.
Chickasaw Nation.)

I, L. C. Burris, National Secretary of the Chickasaw Nation, do hereby certify that the above is a true and correct copy and transcript of a copy of the proceedings of said court, and the affidavit attached thereto, as copied from the original document on file in this office.

In witness whereof I have hereunto set my hand and seal of office on this the 21st dayof October, 1896.

National Secretary.

(C o p y)

IN THE NAME AND BY THE AUTHORITY OF THE CHICKASAW NATION:

Be It Remembered that at the Circuit Court in and for the County of Pontotoc, on the 29th day of January, in the year One Thousand, Eight Hundred and Seventy-Six, we, the Grand Jurors, empanneled, sworn and and charged to inquire, for the body of said county, by the oath of good and lawful persons of the county aforesaid of all offenders against the laws of the Chickasaw Nation; It is presented that Billy Duke, person of said County and Nation, did commit perjury "in the trial of Wallace Underwood and Susan Underwood, charged with adultery," against the peace and dignity of the Nation.

AH-KAI-CHA-CHE BROWN,
Foreman of the Grand Jury.

WILLIAM P. BROWN,
Dist. Atty., C. N.

Witnesses:

MADISON BROWN,

B. F. PERRY.

To be Summoned:

HOPAIITUBBY HAYS,

BILLY PERRY.

-----o-----

Indian Territory,)
)
Chickasaw Nation.)

I, L. C. Burris, National Secretary of the Chickasaw Nation, do hereby certify that the above is a true and correct copy of the original indictment against Billy Duke, filed in the Clerk's office January 29th 1876.

Witness my hand and seal of office on this the 21st day of October, A. D., 1896.

National Secretary.

End

1896 Chic 234

7021

E. W. Luiken

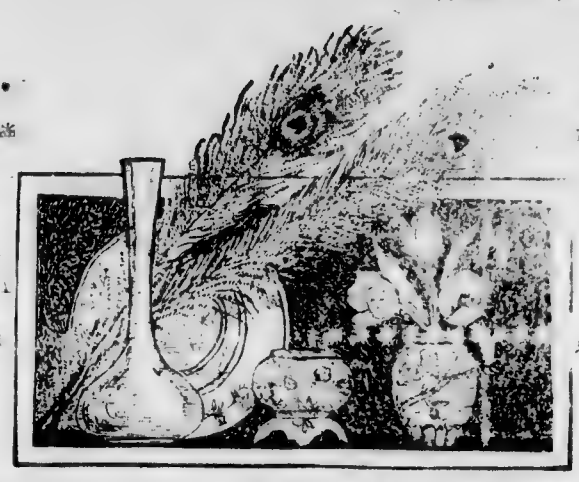
v.

Chicago & Northwestern Railway Co.

FILED SEPT. 10 1936
A. S. McKENNON
CLERK

Admitted as an
intervening petitioner.

Dougherty, D. J.



Any Judge of The County or District Court, Ordained Minister of the Gospel in and for said County of Pickens.

GREETING:

You Are Authorized to Solemnize the

RITES OF MATRIMONY

MR. E. W. Scott And MRS. Ella Scott

And make due Return to the clerk of the County Court within Thirty Days thereafter certifying your action Under This License

Witness my Official Signature and Seal of Office, Pickens County Court-House, this

1st day of *April* 189*5*

Joe Smith

DEPUTY Judge County Court, Pickens County.

Smith hereby certify that on *1st* day of *April*

I, I United in Marriage Mr. E. W. Scott and *Miss Ella Scott*

s above-named.

WITNESS my hand this 2nd day of April 189*5*

Joe Smith

or Record 4th day of April 189*5*. Recorded *4th* day of *April* 189*5*

Clerk.

POOR ORIGINAL -
BEST AVAILABLE COPY

To the Hon Dawes Commission
Vinita Ind Ter

Gentlemen:—

The undersigned your Petitioner would respectfully represent that he is an intermarried citizen of the United States residing in Pickens County Chickasaw Nation Indian Territory.

That he was legally and lawfully married in accordance with the Chickasaw law to Mrs. Ella Krebbs a Chickasaw Indian by blood on the 7th day of April 1898.

This application is made to you for the purpose of having placed on the roll of the Chickasaw Indians that he may share in the distribution of funds and allotment of lands in the Chickasaw Nation by virtue of his marriage in accordance to the laws of the Chickasaw Nation, to a Chickasaw Indian. and in support of said petition the affidavit and certificate Jno Pace Co Judge of Pickens Co C. N
Guy Reed County Clk " " " "
Affidavit of Sam R. Smith and Dow White

is hereto attached and respectfully
submitted to the Com ission.

his application should be known
and Ends

O. H. Sexton

Known and subscribed to before
me This 8th day of Sept. 1910

J. W. Scarlett
Notary Public

Before me the undersigned authority
Personally appeared Dave White
who being by me sworn on oath
says that he is acquainted E. W. Lester
and his wife Mrs. Ella Lester. That
Mrs Ella Lester is a Chickasaw Indian
by blood. It is my understanding that
they are man and wife. I never saw
them married. They lived to-gether as
man an wife in Ardmore in the
year 1895-

Dave White

Subscribed and sworn to before me this
the 6 day of Sept 1896

J. N. Scanlon
Notary Public

Chickasaw Nation. Before me the
Indian Bonding undersigned authority
Pickens County Personally appeared S. R.
Leigh
who being sworn says that
he is acquainted with E. W. Lester and his
wife Mrs Ella Lester. That Mrs Lester is
a Chickasaw Indian by blood —
That they united to-gether as man and
wife in the town of Ardmore in the year
1890. It was reported they were married
under the Chickasaw Laws

S. R. Leigh

Subscribed and sworn to before me
this the 6 day of Sept 1896

J. N. Scanlon
Notary Public

I hereby certify that I have compared the copy and the original application of E. W. Linton for enrollment. together with the certificate of Guy Hall Clk of Prairie Co. of Jos Pond Judge of the County Court of Prairie Co. Copy of marriage licens affidavit of E. R. Smith and Dora White and that the copy addressed to to The Gov. of the Chickasaw to-gether with the Certificate and affidavits hereto attached is a true and Correct of the the original papers addressed to the Dawes Commission. 7.18.96 C Cy

Subscribed and sworn to before me this the 7 day Sept 1896

J W Frost
Notary Public

REGISTRY RECEIPT.

Post Office at Daugherty I.T.

Registered Letter Parcel } No. 42 Rec'd Sept 7, 1896,

of E. F. Lester
Daughertty I.T.

addressed to C. S. Bakely Gov Chickasaw Na
Tishomingo I.T.

Mary E. Major P. M.

Commission to the Five Civilized Tribes,

VINITA, IND. TER., 1896.

See that you swear to your Petition.

Evidence of service of copies on the Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, register to him, and when the registry receipt is returned to you, signed by him, have some disinterested person to make affidavit in form about as follows:

I, Thos R Easterling Chas H. Stafford do solemnly swear that on the 7th day of September, 1896 I saw a package registered at the postoffice at Dougherty Ind Terr, addressed to Palmer Moseley, Governor or Chief of the Choc Nation Vinita Nation, received from the Postmaster Ind. Ter., that registry receipt, No. 42, hereto attached, is a receipt for said package, which contained true copies of the application of E. H. Foster, and of the affidavits of Sam Smith and Dan White in support of same. Thos. R. Easterling Chas H. Stafford

Subscribed and sworn to before me, on this 7th day of Sept. 1896.

F. B. McCoy

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory.

E. H. Foster

For the Commission.

Chickasaw Nation
County of Pickens

I Guy Reel Clerk of County Court of Pickens County Chickasaw Nation Ind Terr do hereby Certify that the foregoing was duly filed for record and Correctly recorded on page 290 on general records of Pickens Co Chickasaw Nation Witness my hand & the Seal of said County & Office in Pickens County this 9th day of April A.D. 1895 Guy Reel
Clerk

This is True and Correct Copy
of the Original
This 25th day of Aug 1896
H.B. McCoy
NP

IN THE MATTER OF THE CHICKASAW NATION'

Petition for writ of habeas corpus to bring petitioner before the court to show cause why he is restrained of his liberty.

Petitioner is a citizen of the Chickasaw Nation, and resides at Tishomingo, in said Nation, and is now restrained of his liberty at Tishomingo, in said Nation, by the Chickasaw Nation, acting through its officers, to wit, the sheriff of Pickens county, Chickasaw Nation, and the jailer of said county, by virtue of a certain writ of habeas corpus issued by the Supreme Court of the Chickasaw Nation, a copy of which is hereto attached, marked Exhibit "A" and made a part hereof.

That petitioner is not guilty of any crime against the Chickasaw Nation, or the United States, and that the writ of habeas corpus was issued by the Supreme Court of the Chickasaw Nation without any authority of law, and petitioner is illegally restrained of his liberty by the Chickasaw Nation, acting through its officers, to wit, the sheriff of Pickens county, Chickasaw Nation, and the jailer of said county, by virtue of said writ of habeas corpus.

Petitioner further says that he is not guilty of any crime against the Chickasaw Nation, or the United States, and that he is illegally restrained of his liberty by the Chickasaw Nation, acting through its officers, to wit, the sheriff of Pickens county, Chickasaw Nation, and the jailer of said county, by virtue of said writ of habeas corpus issued by the Supreme Court of the Chickasaw Nation without any authority of law

TO THE HONORABLE DAWES COMMISSION:

Ex Parte _____

Now comes the Chickasaw Nation, by its attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

No.....

—

Before the Honorable Commission
to the Five Civilized Tribes.

—

In the Matter of the Application
of F. W. Lester et al for En-
rollment in the Chickasaw Na-
tion.

—

--: A N S W E R :--

—

filed Oct. 31, 1896,
W. W. Johnson
Clerk.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of ~~Frank Woodifer~~

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and [illegible] fully accepts as the application herein, and says that same is insufficient in law

WHEREFORE, It prays that said application be denied.

Second--For further and special exception, [illegible] reasonably appears to this Commission that the evidence [illegible] the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be denied.

Third--For further special exception, [illegible] that the application is incorrect in [illegible] has not complied with the laws of said Nation, and, therefore, is not entitled to any rights,privileges and immunities as a citizen.

WHEREFORE, It prays that said application be denied.

THE CHICKASAW NATION,
By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

---o---

In the Matter of the Application for Enrollment in the Chickasaw Nation

of

---o---

[illegible] the Chickasaw Nation, by its Attorneys, and, without [illegible] by excepting to the motion to dismiss filed herein; [illegible] answers, but denies [illegible] is properly [illegible] Commission to hear and [illegible] question of citizenship in the Chickasaw Tribe of Indians, [illegible], it, its [illegible] to said motion, and respectfully says, to-wit:

The Chickasaw Nation alleges that none of the applicants herein [illegible] entitled to enrollment in said Nation as [illegible] and says that all of them are now, and have at all times been, citizens of the United States; and that none of the applicants herein have any [illegible] of them [illegible] to this Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the petition of the applicants is without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached, and asks that they be considered a part of this answer.

W H E R E F O R E , it prays that the application herein be dismissed, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

End

1896 chic 235

TO THE HONORABLE DAWES COMMISSION:

x Part. *Luther Travis et al*

Now comes the Chickasaw Nation, by its attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

NO.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Luther Davis et al for En-
rollment in the Chickasaw Na-
tion.

--: A N S W E R :--

Filed Dec 31, 1896,
[illegible]
Clerk,

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

---o---

In the Matter of the Application for Enrollment in the Chickasaw Nation
of [illegible]

---o---

[illegible], [illegible], and [illegible]

[illegible] of Chickasaw Nation; [illegible]

[illegible] of Indians, [illegible], [illegible] to said public duty, and respectfully [illegible]:

[illegible] applicants herein [illegible] enrolled to [illegible] said Nation on the [illegible] of [illegible], and [illegible] of [illegible] Nation, citizens [illegible] Indians; and that none of the applicants [illegible] are entitled [illegible] exclusively to this Commission [illegible] they are entitled to enrollment in said Nation; it further alleges the fact to be that the petition of the applicants is without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached, and asks that they be considered a part of this answer.

W H E R E F O R E , It prays that the application herein be dismissed, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

[illegible]

JOINT RESOLUTIONS RELATIVE TO FRAUDULENT CLAIMS? HO-YOU-PO-NUBBY, AND OTHERS.

-----o-----

Sec. 1. Be it Resolved by the Legislature of the Chickasaw Nation, That the claims of Ho-you-po-nubby, and others, whose names appear on the ~~xxxxxx~~ rolls of the General Register, in the United States Agent's office, or elsewhere, who claim to be Chickasaws under the "Treaty between the United States and the Chickasaws, made and concluded on the 24th day of May, A. D., 1834." And who have been denied to be Chickasaws, in a Council held at Boggy Depot, about the year A. D. 1840.

Sec. 2. Be it Further Resolved, That the said claimants above referred to, as claiming lands under the "Treaty of 1834," are forever debarred, and that no part of the invested funds of the Chickasaws, now invested in the hands of the government of the United States, shall ever be taken or applied to the payment of any of the persons referred to above, claiming to be Chickasaws under the "Treaty of 1834," who have been denied to be Chickasaws, by the Council above referred to.

Sec. 3. Be it further Resolved, that all claims against the Chickasaw ~~xxxx~~ people as a Nation, that date back to the "Treaties of 1832 and 1834," are hereby forever debarred.

Sec. 4. Be it further Resolved, that any person or persons who shall introduce, or agitate any of the above named claims in this Nation, and being citizens thereof, shall be deemed guilty of treason, and shall be dealt with accordingly.

Approved, November 24, 1857.

C. HARRIS, Governor.

-----o-----

Indian Territory,)
) ss.
Chickasaw Nation.)

I, L. C. Burris, National Secretary of the Chickasaw Nation, do hereby certify that I am custodian of the laws and records of the Chickasaw Nation, by virtue of my office; that I have examined the above, and know that the same is a true and correct transcript of said Joint Resolutions, as appears from said records.

Given under my hand and seal of office on this the ___ day of October, A. D. 1896. _____ National Secretary.

Edward W. Chandler being duly
sworn on the Holy Evangelists of Almighty God
Testifies, Says & that
W. J. Chandler who has first duly
sworn deposeth and says,
That Name is W. J. Chandler am 53
years of age Am Chickasaw and Choctaw
by blood. I am a lawyer by profession
have practiced in all Indian Courts and
have been admitted to practice in the
U. S. Courts about 60 years ago
I have held many Chickasaw offices
under the Chickasaw Government have
assisted in taking the Census of all
Chickasaws and Chickasaw Whites Negroes
and Negroes living in the Chickasaw Nation
I have been National Secretary, National
Auditor of Public accounts of the Chickasaw Nation
Clerk of the House of Representatives, Secretary
of the Senate Attorney for the Chickasaw
Nation before the U. S Courts in the
Indian Territory. In Causes of jurisdiction
have been Representative and Executive
And have known other very important Cases
in the Nation — I know that the
Claimants in this Cause & in such as
the Chickasaw People denominate
Mississippi or Tennessee Claimants

whom we Citizens are bound to
Our Country have always been true
& they were the reason
they have also so remained in said
United States. Here there was no
danger and hardship to encounter —
Life was to be contented & thus Wild
Western Country there to be inhabited
& run by the Negro Buffalo and Wild
Savage barbarous Indians to be
saved and robbed our people for many
years after we arrived here. All those
of that have such persons Slaves &
remain in a United Country, while
we steal such things and base steps
and property and for my part have not
been such before and Remained
the Country, our Government and its
Institutions which then at this day and
have enhanced the Value of our
Land which we have paid for both
from a Savage and Wild point and
that of Hardship and Misery &
Encamped- Land we have a Land
reached & paid when and when our
Lands and Money are to be divided
up. And which we have supported &
Maintain and preserved and Now
for such Claimants & Cause in asking
to share equally with us-the Western object

Part

and they further insist the purport of those
Treaties & acts and Justice Marshall
the decision of the Supreme Court
of the United States in the case
of the Eastern Cherokees U.S. the
Western Cherokee Indians - do not
entitled to certain rights with respect
to those Indians that a person
to be a citizen thereof entitled to be
entitled to such rights Annuities and
benefits thereupon arising - he must
live in the Nation with the people
and help to support and Maintain the
Government as Institutions and
help to bear the burdens thereof in
Common with his fellow Citizens -
then he can expect to share in the
benefits thereof otherwise he cannot
- I know - that these Claimants voluntarily
Themselves that they have ever been
in this Nation from 7 to Nine years
and that they never have attempted to
establish the rights Claimed until
now - I know - they never have been
recognized or regarded in any way
as Chickasaws by this Chickasaw
People - I know that the Chickasaw
Nation - has a law a very old law
which provides that any Claimes to

Chickasaw Nation which dates
back as far as 1832 & 1834
the Govt claimed the land will
be found in our old State
We look in relation to the Union
of Georgia-Pr. nothing and where
about two hundred people to be
used to Union & be Chickasaws, but
were Not, and were Union
by a Council of our People
at Boggy Depot last year
we - and then this was where
agreed to was treated to take all
Claims against this Nation which
date as far back as above stated -
that we say on this law in the
Claims of all persons known
as the aforesaid Mississippi and
Tennessee Class of Claimants I
mean that the evidence adduced by
these Claimants Consist Chiefly in
the allegations by themselves made -
and their own affidavits except the
other witness Walker Martin a
White man - and Betsey Myers an
old Chickasaw woman with both
of whom I am well acquainted
as follows, I have known said
Walker Martin intimately now

1

For at least 20 or 25 years, Mr Mann
has been a man of good character among
people here in confidence. I
mean the better class of the people
he is generally known to be a hickey
man and a law-breaker he has
been indicted and prosecuted here in
our Circuit Court for many
offenses as our Court records will
show. The same records will show
that he is in the habit of leasing
lands in violation of this most
good Government by trespassing
upon & cultivating lands of U.S.
Citizens - That if either one of
our Citizens should get a U.S.
Citizen off of his land the U.S. Govt
Walter Wooten will step in and
claim said lands and thereby
aid the U.S. Citizen in depriving the
Citizen - when it is well known
to all Walter Wooten has no right
or claim to said lands, and if
Citizen in dispossessed is paid
for his time & daily work he
is always in a penny stricken
condition Nothing worth standing he
is a shiftless man and has had the

for use of the Church for 35 or 40
years, but has since only used
Hands provided in their Purse
Meeting with their Confidence
and Morning Money which they
never Collected in any Way Soever -
Consequently he has no Standing
amongst the better Class of People
Nor could have been a great Many of
the best Ones of U.S. Citizens have
Crowded place the Prisoner in what-
so would Say, a De-Humanitarian
was the least Person Shou'd be
Mixed Up with by Any - I Human
Nature positively does Deny Either
of the best Ones of our would
Not hesitate to Sign these
Declarations and Resolutions with
me- Then Simply, gives me Idea of
the Kind of a Man he is- but it
does not express to our Minds-
-Then (6) to Mrs Betsey Myers - I say this
While Time is Little is no Evidence
in her Appendant yet She is a
Sister in Law of Mine- She married
a brother of Mine named James
R. Rhodes about the year 1872
and lived with him until his
death about Five years ago

This woman was a daughter of old
Uncle Lucus - She had had most
Children began to pay Dr. Thee taken
up with her and afterwards for years of
persecution married her - but while
she had had these Children she
had had the hapiest husband that
ever a Woman of Color had - named my
Brother - I have known her for
25. or 30 years. She must be now
about 60 years of age - from
1872 upto about four years ago -
She has lived in our family
and Most of the time in My own
family - and after my Brother took
her husband - On account of one Child
a Girl at the head for my Brother
She lived with me in my family
until She Married her present
husband Henry Myers - Taking
the Little Child away from her
and am raising and educating
it now - This woman is of the
Mind that loves to talk and
tells it understood that she
knows Something about every thing
Anything that Calls up Mrs especially
Past Events - She does not know
her acurate age or that of her Children

§

her after arrival & marriage including
at her task- She is what we always
Considered a Rolling Wild Willer
and on many occasions Causing many
disturbances in the Community and
was caused the separation of
husband Three or four times
previous to first by her Reckless
Willing and Willing things while
young proper pending her out
fired in Abilene & what she
said- Many of the people will
testify to these things- While I
do not doubt but what her father
and his people as the say at
times because the says so would not
cause me to believe it was the
case- I have Counseled many of
the Cherokees the Most the people
well- and the are as old, as she
is, who know nothing of her former
people.- I know her father, brothers
and sisters- her brother died in the
Ft Smith Jail confined for Peddling Whiskey-
This is now the exact Character and
Nature of this witness- and I can give
many instances of desired & corroborate
my statement, by some of the best Class of
our people- Signed W.V. Rhoades
Jr. Over-

Subscribed and sworn to before
me this 28 day of Oct 1896

Wm Deuel
Notary Public

INDIAN TERRITORY -:- SOUTHERN DISTRICT.

Before me, the undersigned Notary Public within and for the Southern District, Indian Territory, this day personally appeared R.B. Hill, to me well known, and upon oath states: That he carefully compared the original and the copy of the application of Luther Davis et al. for Citizenship in the Chickasaw Nation; That on the 3rd day of September 1896 he left a true copy of the application, all affidavits and papers thereto attached as referred to in the above case with P.S. Moseley, Governor of the Chickasaw Nation at his home at Near Pauls Valley I.T.

R.B. Hill

Subscribed and sworn to before me, this the 4th day of September 1896.

John F. Brown
Notary Public, Southern
District, Indian Territory.

Ardmore P.O.
C. E. A. Taylor

United States of America,
Southern Judicial District,
Ardmore, Indian Territory.

In . re. thee Citizen-ship claim of Luther, Davis ET. AL.

To thr Honorable Commission of the United States, to the five Civilized tribes of the Indian Territory.

Your petitioner Luther Davis for himself and his two married sisters and their children and their husbands: viz:- Mrs, Lucy Lewis for herself and as Next friend and natural guardian of her 3 minor children viz:- Charles Luther Lewis age 5 years Robert Coleman Lewis age 4 years old Bessie Lewis age 10 months. Mrs Virginia Francis Shelton for herself and one minor child Kelly Shelton age 14 months. Robert Lewis husband of Lucy Ann Lewis petitioner:- C. A. Shelton husband of Virginia Francis Shelton. Mrs, Smith mother of the aforesaid petitioner, Viz:- Luther Davis, Lucy Ann Lewis, Virginia Shelton petitioners and former wife of their father Alexander P. H. Davis deceased.

Your petitioner Luther Davis and his two married sisters, Mrs. Lucy Ann Lewis (nee) Davis Virginia Francis Shelton (nee) Davis, represent and show to this honorable Body that they and each of them are the legitimate Children of Alexander ~~P. H.~~ Davis, deceased by his wife A. E. ____ Davis nee Mrs. M. T. Smith, a white woman. That they and each of them state that their father Alexander ~~P. H.~~ Davis deceased, is One 1/4 part Chickasaw Indian by blood and that he was recognized by the Chickasaw tribe of Indians at the time that he was living. That the father of Alexander ~~P. H.~~ Davis, the grand father of these petitioners was a Chickasaw Indian by blood, being One 1/2 part Chickasaw Indian They and each of them state by reason of being the legitimate children of Alexander ~~P. H.~~ Davis and the Grand Children of Joseph Davis which both of whom were Chickasaw Indians and were recognized as such. Their grand Father Joseph Davis being 1/2 part Chickasaw Indian. Your petitioner, Mrs. Lucy Ann Lewis in addition to the foregoing statements in the foregoing paragraph, states that she is the wife of Robert Lewis and as next freind and natural guardian for her three minor

Children viz:- Charles Luther Lewis, age 6 years, Robert Coleman Lewis age 4 years and Bessie Lewis age 10 months. That each of the above named children are by her husband Robert Lewis. Your petitioner Mrs. Virginia Francis Shelton in addition to the statements in the foregoing paragraphs states that she is the lawful wife of J. N. Shelton and that ~~they~~ during their marriage there have been borned unto them one minor child viz:- Kelley Shelton age 14 months which child is the legitimate child by her husband J. N. Shelton.

Your petitioner Robert Lewis states that he is the lawful husband of Lucy Ann Lewis and that they were married on the 14 day of April A. D. 1889 in the Chickasaw Nation Indian Territory. A certified copy of the marriage license is hereto attached and made a part of this petition. ~~which marriage was a common law marriage, as shown by affidavits hereto attached.~~

Your petitioner, J. N. Shelton states that he is the lawful husband of Virginia Francis Shelton and that they were lawfully married on the 17 day of March A. D. 1889 in the Chickasaw Nation Indian Territory, a certified copy of which marriage license are hereto attached and made a part of this pritition ~~which marriage was a common law marriage before witnesses as shown by affidavits hereto attached.~~

Your petitione , Mrs. S. E. Smith a.ledges that she was legally and lawfully married on the 12 day of November A, D. 1870 to Alexander ~~P. M.~~ Davis in Lafayette County states of Mississippi, and the said Alexander ~~P. M.~~ Davis is the father of the foregoing children of your petitioner. viz:- Luther Davis, Lucy Ann Lewis petitioner, Virginia Francis Shelton petitioner, and that she is the ~~XXXXX~~ mother of each of the aforementioned petitioners and that they and each of them are her legitimate children by her husband, Alexander ~~P. M.~~ Davis, deceased. And that by reason of being the wife of the said Alexander ~~R. M.~~ Davis, who was a 1/4 part Chick asaw Indian by blood she should be enrrolled as a memeber of the Chicksaw tribe of Indians, by intermarriage. That she has since married to J. E. Smith and at this time is his lawful wife but that the said marriage to the said J. E. Smith was prior to the passage of the ~~XXXXXXXXXX~~ law by the Chicksaw Indians which prohibits such

ies who were once married to Indians by blood, for remarrying which would deprive them of the right of citizenship in said Chickasaw Nation. Each and all of the forgoing petitioners state that they have never received and sum of money or any lands from eithr the United States Government of the Chickasaw tribe of Indians for their interest in the lands.

Your petitioners viz:- Luther, Davis, Virginia Francis Shelton, Lucy Ann Lewis that by reason of being the legitimate children of Alexander ~~P. H.~~ Davis, deceased, who was a 1/4 part Chickasaw Indian by blood and by his wife Mrs J. E. Smith, a white woman, that they and each of them are 1/8 part Chickasaw Indians by blood, and that and each of them as shown by the above petition are 1/8 part Chickasaw Indians.

The petitioners Robert Lewis, J. N. Shelton, the husbands of the Mrs. Virginia Francis Shelton petitioner, and Lucy Ann Lewis petitioner, state that they should be enrolled as citizens of the Chickasaw tribe of Indians, by intermarriage.

Your petitioner, Mrs. J. E. Smith states that by reason of being the lawful wife of Alexander P. H. Davis Deceased and having re-married after his death, which marriage to the passage of the law that prohibits re-marrying again, that she should be placed on the roll of the Chickasaw tribe of Indians.

Wherefore, each and all of the above petitioners request that their names be placed on the roll of the Chickasaw tribe of Indians, which roll id to be prepared by this Honorable Commission.

In support of the foregoing statements, your petitioners hereto attache the affidavits of Hallie McCartain J. E. Smith and Belsey Myers, together with the affidavits of each and all of the petitioners, and other certain documentary evidence, and certified copies of the marriage licenses, also a sworn statement in regard to the records of the old family Bible kept by the aforementioned Alexander ~~P. H.~~ Davis deceased, through which each and all of the petitioners

claim their right as citizens of the Chickasaw tribe of Indians.

Attest
W. H. Brown

Luther Davis
For himself.
Charles Luther Lewis
Robert Coleman Lewis
Bessie Lewis
Minors.

By Lucy Lewis
Next friend and natural guardian
and mother. Minor.

Kelly Shelton
Minor.

Next friend and natural guardian and
mother. Minor.

Robert Lewis

Next friend and natural guardian
mother. Minor.

J. H. Shelton

Next friend and natural guardian
mother. Minor.

S. E. Smith
Next friend and natural guardian
mother. Minors.

United States of American,

Southern Judicial District,

Ardmore, Indian Territory.

Before me the undersigned authority on this the 29 day of August, A. D. 1896, personally appeared, Luther Davis, Chares Luther ~~Davis~~ Lewis, Robert Coleman Lewis, and Bessie Lewis by their next friend and natural Guardin Mrs. ~~Virginia~~ Lucy Lewis for her the three minor children last named, and for her-self, and Kelly Shelton by Mrs. Virginia Ann Shelton (signed Jennie Shelton) their next friend and natural guardian, and Robert Lewis, husband of Lucy Lewis, J. H. Shelton, husband of Jennie Shelton, and Mrs. S. E. Smith, former wife of Alexander Davis. And they and each of them in their respective capacities ~~that they~~ said that they had signed the foregoing instrument and that the statements therein contained were true and correct.

John F. Brown
Notar y Public.

POOR ORIGINAL -
BEST AVAILABLE COPY

124162

Han Davis Com.
Five Civilized Tribes
of Indians
Application of
Luther Davis et al.
for citizenship
Chickasaw Nation
Original

Filed Sept. 9. 96.
Os. McKennon
Comr

Rejected

Dick T. Brown
Atty for Applicants
Atoka I.T.

United States of America,

Southern Judicial District,
Ardmore, Indian Territory.

In re.the Citizenship claim of Luther Davis et.al.

Affidavit of Mrs.S.E.Smith, petitioner.

Before me the undersigned authority on this the 1"day of September A.D.1896, personally appeared Mrs.S.E.Smith who after first being sworn to tell the truth the whole truth and nothing but the truth deposes and says:-

My name is S.E.Smith I am at this time the wife of J.E.Smith, and I am 54 years of age have lived in the Indian Territory for the last 9 years, and now reside in the City of Ardmore.I.T. I was borned in the Lafayette County of ~~Missippie, and married in the State of Mississippi in the town of Lafayette in the said state.~~ Alabama
I was ~~first~~ married to Mr.Alexander R. Davis, which marriage took place on the 12 day of November A.D.1870, in Lafayette County, Missippie, near Oxford, and as best I remember the license were had at Oxford and returned to that place after we were married.
While living to Mr.Alexander ~~R.H.~~ Davis there were borned to us two Children who are now liveing named viz.-

Virginia Frances Davis, who is now married to J.H. Shelton and is a petioner in this petion.
Lucy Ann Davis, who is now the wife of Robert Lewis and is a petitioner in this petition.
Luther Davis who is now 22 years of age
Each and all of the above named parties are the legitimant children of my-self and Alexander ~~R.H.~~ Davis and were borned to us during wedlock.
My Daughter Lucy Ann Lewis is now the wife of Robert Lewis, petioner, and they have the following named children viz:-

Charles Luther Lewis aged 6 years.
Robert Coleman Lewis aged 4 years.
Bessie Lewis aged 10 month.

Each and all of the above are the legitimate children of Robert and Lucy Ann Lewis, both of whom are petioners herein.
My Daughter Virginia Frances Shelton, is now the wife of J.H.Shelton and is the mother of one child by the said J.H.Shelton named Kelly Shelton aged 14 months old.
My son Luther Davis is not married.
My former husband Alexander Davis above refered to was an Indian, a Chickasaw, and came from the Indian Territory to Missippie where we married. He had been married before he married me to a woman by the name of Lucy and had some children by his first wife. His first wife had died and had been an Indian. Or at least he told me she had been an Indian and the children were Indian Children. My husabd Alexander Davis claimed to be 1/4 Chickasaw Indian. He often told me of drawing money as an Indian and wanted me to come back to the Indian Territory with him so he could draw money again. He could talk the Indian language and always seemed as if he had rather talk the language, but we learned the children to talk English as we lived among white people.
My husband had very dark hair, very high cheek bones and appeared in ever respect as an Indian, almost a full blood. I understood before I married him that he was an indian and some of the people objected to him for that reason. Since I come to the Indian Territory I have been talking of prooveing a right and have made a number of offorts but never could raise the money to file the claim. This is the first time I ever was able to file a claim before any court to be enrolled as an Indian.

S. E. Smith

Subscribed and sworn to before me on this the 1"day of September A.D.1896
John F. Brown notary Public

United States of America,
Southern Judicial District,
Ardmore, Indian Territory.

In Re., the [illegible] ase of Luther Davis et.al.

Affidavit of Walker Martain.

Before me the undersigned authority on this the 31day of August, A.D. 1900, personally appeared Walker Martain, who after first being sworn to tell the truth the whole truth and noting but the truth [illegible]poses and says:-

My name is Walker Martain, my age is 70 years, I am now living in the Chickasaw Nation, Indian Territory at Durwood, I.T., have lived in the Indian Territory, for the last 42 years; I am well acquainted in all parts of the Choctaw and Chickasaw Nation.

I knwe Joseph Davis who had two brothers named Daniel and Mercery Davis, when I knwe ter they lived near Perry Vile, on the Canadian line between the Chickasaw Nation and the Creek, Nation, le after and moved to Pontatock County, Chickasaw Nation, Indian Territory.

They were all Chickasaw Indians by blood, the above named Joseph Davis was a half bred Chickasaw Indian. His name together with the names of the other two brothers were reckognized as Indians and were enrolled as Chickasaw Indians and drew their Annuities as Chickasaw Indians.

I was real well acquainted with the family of the Davies but do not know much about their children for I never made any attention to the Children. I am sure that the nae of Joseph Davs will be found on The Chickasaw Roll, of Indians. He has been dead along time.

Walker Martin

Subscribed and sworn to before me on this the 31day of August, A.D. 1900

John F. Brown
Notary Public.

POOR ORIGINAL -
BEST AVAILABLE COPY

United States of America,
Southern Judicial District,
Ardmore,Indian Territory.

In Re., the citizenship claim of Luther Smith et.al.

Affidavit of Betsey Myers.

Before me the und rsigned authority on this the I"day of September, A.D.1896,prsonally appeared before me Mrs.Betsey Myers,w o after first being sworn to tell the truth the whole truth and nothing but the truth deposes and says:- My name is Betsey Myers my age is years my Post Office address is Ardmore,I dian Territory.I have lived in the Indian Territory,all of my life.I am a Chickasaw Indian and am so reckog -niz d and am on the roll of the Chickasaws.

My father was named Davis,and he had a brother by the name of Joe Davis who had a son by the name of Alexander Davis,who was my cousi and I rember seeing him when I was a child.He was a man about middle age w en I was a little child and I rember seeing him a number of times as he would come to our house and my father would go with im to get his anuity.Alexander Davis above ref ed to lived up on the Canadian River b tween the Chickasaw Nation and the Creek nation.He first marr -ied a woman who was a Creek,Indian.I saw that he first married a Cree ,I mean by that that my father said she was a Cr ok,and I know that she did not look lik the Chickasaws and Choctaws.His wifes nam was Lucy and she died,leaving some children.

After his wife's death Al exander Davis went away from the Indian Territory and we never saw him any more. I do not know what ever becam of him.I only know what I have heared,and what people hav told me about him.Mrs.S.E.Smith who now lives in Ardmore,claimes to have married him after he went to Missipie,and she give a good description of the family and th man in general.S e also states that he had some children named as above shown.He was a cousin of mine and was one fourt Chickasw Indian,

Subscribed and sworn to before me on this the I'day of September 1896.

Notary Public.

United States of America,
Southern Judicial District,
Ardmore, Indian Territory.
In Re., Cb citzenship claim of Luther Davis et.al.

Affidavit of J.H. Bolton, petitioner.

Before me the undersigned authority on this the 5th day of August A.D. 1896, personally appeared J.H. Bolton, who after first being sworn to tell the truth the whole truth and nothing but the truth, deposes and says:- My name is J.H. Bolton, my age is 32 years, I was married on the 17th day of March, A.D. 1875 1889, in the city of Ardmore, I.T. To Miss Virginia Davis who has since that date been my lawful wife.

We were Married before witness Mrs. Clark being present at the wedding. A certfeate of said minister who married us is herewith filed and made a part of this affidavit.

I am now and have resided in the city of Ardmore, I.T. for 7 years.

J H Bolton

Subscribed and sworn to before me on this the 5th day of August, A.D. 1896.

John F. Burns
Notary Public.

United States of America,
Southern Judicial District,
Ardmore, Indian Territory.

In. Re the Citizen-ship claim of Luther Davis ET. AL

Affidavit of Luther Davis, Prtitioner.

Before me the undersigned authority on this the 29 day of August A.D 1896, Personally appeared appeared Luther Davis who after first being dully sworn to tell the truth the whole truth and nothing but the truth, deposes and says:-

My name is Luther Davis y Post Office is Ardmore, Indian Territory. My age is 22 years. I am one of the petitioners in the above styled petition and am the son of Alexander P.K. Davis, and ~~the-s-like~~ his wife Elizabeth Davis, and who is now named Mrs Elizabeth Smith.

I do not rember my fathers looks but have always understood that he was an Indian. He died when I was only about one year of age.

I have lived within the Indian Territory for the lst eight years.

his
Luther X Davis
mark

John F Brown

Subscribed and sworn to before me on this thr 29 day of August, A.D. 1896

John F. Brown
Notary Public.

Original

INDIAN TERRITORY,)
) ss.
Southern District.)

--: Affidavit of Robert Lewis, :Petitioner :--

On this, the 31st day of August, A.D. 1896 before me the undersigned authority personally appeared Robert Lewis, who, after being first duly sworn to tell the truth, the whole truth and nothing but the truth, deposes and says: My name is Robert Lewis; my age is 37 years; my postoffice address is Ardmore, Ind. Ter.. I was married to Lucy Ann Davis on April 14th, 1889; and to us, during wedlock, have been born the following children, viz: Charles Luther Lewis, aged 6 years;
Robert Coleman Lewis, aged 4 years;
Bessie Lewis, aged ten months.

Each and all of whom are the legitimate children of myself and Lucy Ann Lewis. I now reside in the city of Ardmore, Indian Territory.

In evidence of the marriage above referred to I herewith file a ~~certified copy of the license by which we were united, marked "Exhibit A"~~ Affidavit of Mrs J. E. Smith the marriage license in the presence of Witnesses.

Robert Lewis

Subscribed and sworn to before me on this the 31st day of August, A. D., 1896.

John F. Brown
Notary Public.

United States of Arerka,
Suthern Judicial District,
Ardmore, Indian Territory.
In Re., the citizenship claim of Luther Davis et.al.

Affidavit of Mrs. Vrginia Frances Melton, petoner.

Before me the undersigned authority on this the 31day of August, A.D. 1896 personally appeared Mrs. Vrginia Melton who after first being sworn to te tell the truth the whole tuth and nothi but the truth, deposes and says;

~~My name is Virginia Frances Melton who after first being sworn to~~

My name is Vrginia Frances, called Jennie Melton, my age is 23 years my present Post Office is Ardmore, Indian Territory. I am the wife of J.H. Melton, have been married to him since the 14 day of April A.D. 1890. I am the legitimate daughter of Alexander P.H. Davis who is now dead.

I am the daughter of Mrs. S.E. Smith, petioner herein.

I am the mother of the following named child, which is the only child born to us during our marriage.

Kelly Melton 14 month old.

I have lived in the Indian Territory every since my marriage.

Subscribed and sworn to before me on this the 31day of August, 1896.

Mrs. Jennie Melton,

John F. Brown
Notary Public.

United States of America,

Southeern Judicial District,

Ardmore, Indian Territory.

In Re., the Citizenship claim of Luther Davis et.al.

Affidavit of Mrs.Lucy Ann Lewis, petioner.

Before me the undersigned authority on this the 1"day of Sptember A.D.1896, personally appeared, Mrs.Lucey Ann Lewis who after first being sworn to tell the trut the whole truth and nothing but the truth, deposes and says:- My name is Lucy Ann Lewis I am the legitimate daught -er of Mrs.S.E. and Alexander Davis, my fat er is now dead ha s been dead for about 21 years, my mother who is now married to Mr.S.E.Smith is now liveing in the city of Ardmore, Indian Terri y, and is a petioner in this petition. I have a siter who is now married and named Mrs. Virginia Frances Shelton, and abrother by the name of Luther Davis, who is unmarried. I was borned in th County of Layfayette, State of Missipio I am now 25 years of age. I am the wife of Robert Lewis, p tioner in this petition. We were married on the 14"day of April, A.D.1890.

We have three children named viz:-

Charles Luther aged 6 years.

Robert Coleman aged 4 years.

Bessie aged 10 months.

Each and all of the above named children are the legitinate children o ~~of my-self and Lucy~~ of my-self and Robert Lewis, petitioner.

Our family have been trying to proove our Indian right for some time but have never be n able to get the matter before a court until this ti -me. My mother has always told us that we were Indians bu we ave not yeat prooven the same.

Lucy Ann Lewis

Subscribed and sworn to before me on this the 1"day of September A.D. 1896.

John F. Brown
Notary Public.

End

1896 chic 236

Application and
~~1228~~ 236
Evidence of
Josephine Anderson
for Citizenship in
the Chickasaw Nation,

FILED SEPT. 9 1896
A. S. McKENNON
COM'R

Rejected
Application Denied

Blood

Robinson & Hotchkiss
Attys

TO THE HONORABLE THE DAWES COMMISSION. CITIZENSHIP IN THE CHICKASAW NATION, AND CITIZENSHIP IN THE INDIAN TERRITORY:

Your petitioner, Josephine Anderson the undersigned respectfully states that She is a Chickasaw Indian by blood and asks to be enrolled as a member of the Chickasaw Nation of Indians in the Indian Territory. That she derives her said Indian blood from ~~her~~ her mother Annie Overstreet whose maiden name was Annie Brown a Chickasaw Indian by blood

Your petitioner states the above facts as the lawful grounds of her application for citizenship in the Chickasaw Nation, and prays that her claim may be fully investigated by your honorable Commission and that she be adjudged to be a citizen of said Chickasaw Nation of Indians, and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

Her age is 36 years. Her Post Office address is Wynnewood

Ind Terr

Her family consists of the following named persons:

Husband J. E. Anderson age 36 years

Nora Fleetwood female aged 14 years

_____ aged _____ years

_____ aged _____ years

Witness my hand this the 3rd day of September A.D. 1900.

Josephine Anderson

United States of America
Indian Territory
Southern District

Personally appeared before me the undersigned authority Josephine Anderson to me known to be the petitioner in the above named petition, who being by me first duly sworn, upon oath says that she is the petitioner in the above named petition, that she has heard read the said petition, and that the facts stated therein are true, as she verily believes.

Subscribed and sworn to before me this the 3rd day of Sept. 1900.

C. C. Keen
Notary Public

Affidavit of John H. Walner.

United Staes of America
Indian Territory
Southern District

Personally appeared before me the undersigned authority, John H. Walner, who after being duly sworn on oath to tell the truth the whole truth and nothing but the truth deposes and says:- My name is John H. Walner, I am thirty three years of age , my residence Wynnewood, Indian Territory, am a Chickasaw Indian by blood. I know Mrs Josephine Anderson, I have known her seven or eight years, know her to have a farm in the Chickasaw Nation, and she has been always recognised as a citizen of said Nation, until her marriage with her husband J.D. Anderson who is a white man . I have issued Permits to the said Josephine Anderson, while I was Permit collector in Pontotoc County Chickasaw Nation.

John H Walner

Subscribed and sworn to before me this the 29th day of August, 1896.

Southern District

Raymond L Kerr

Notary Public, Southrn District, I.T.

Southern Judicial District }
Indian Territory. }

Personally appeared before me, the undersigned Authority - a Notary Public, in and for said District, —
Lena Lewis, who being first duly sworn according to Law, says:—
"My post office is Mill Creek, Ind. Ter. I am a Chickasaw by blood, and am acquainted with Josephine Anderson the applicant herein and have known her ever since she was a baby. Her maiden name was Josephine O'Cornstreet. She was the daughter of Anna Brown with whom I was also well acquainted, ~~I testified~~ and who married a man by the Name of O'Cornstreet.
Affiant further says that she was acquainted with Charlotte Brown the mother of Anna Brown aforesaid, and grandmother of this applicant.
Affiant says that the said Charlotte Brown and Anna Brown were both full blood Chickasaw Indians, and that they were so reputed in the Community in which they lived, and as such they participated in all the rights and privileges

pertaining to said Chickasaw Tribe of Indians.

Affiant further says that she is in no wise interested in the prosecution of this Claim.

Witness { W. F. Shugog / W. M. Freeman } Lucy Lewis mark

Sworn to and subscribed before me this 29th day of August 1896.

W. F. Shugog N.P.
In Dist of the Choctaw Terry.

M. F. MYERS.

DAVIS, IND. TER. Aug 29 1896

Ind Territory
Southern District

Nelson Chigley being
duly sworn testifies that he is
acquainted Harrison Brown,
Johnson Brown, Diley Brown Anna
Brown who are sisters & brothers and
their mother Charlotte Brown
and knows that they are all
full blooded Chickasaw Indians
and that they are blood kin
to him. He further testifies that he
is a full blooded Chickasaw
Indian

his
Nelson + Chigley.
mark

Witnesses
Charles Kistler
M. F. Myers

Subscribed and sworn to before me a notary
public Aug 29. 1896.

M. F. Myers Notary Public

Affidavit of Charlie Overstreet.

United States of America
Indian Territory
Southern District

Before me the undersigned authority, on this the 3rd day of September, 1896, personally appeared Charlie Overstreet, who being duly sworn on oath to tell the truth, the whole truth and nothing but the truth deposes and says: My name is Charlie Overstreet, my age is twentyone years, my residence about fifteen miles east of Wy: ne ood, Indian Territory, I know Nora Fleetwood the daughter of Mrs Josephine Anderson, I am her Uncle and the brother of the said Mrs Josephine And Nora Fleetwood
erson, she is about fourteen years of age .

his
Charlie X Overstreet
mark

Subscribed and sworn to before me this the 3rd day of September 1896.

E. F. Keen

Notary Public, Southern District, I.T.

Thelon Jt August 26 1896

This day personaly appeared before
me the undersigned. a Notary Public
in and for the Southern District Jt
Mary Greenwood who being duly
sworn deposes and say that.
Josephene Anderson of Pontotoc Co
Ind Ter. is the daughter of Annie-
Brown Deceased, of Ind Ter. Said
annie Brown and Diley Brown
the mother of Mary Greenwood was
Own Sisters, Children of Charlottie
Brown of Ind Ter

her
Mary + Greenwood
mark

Sworne to and Subscribed before
me this the 26 day of august 1896

W A Brewer
Com Exp 1897 Notary Public

Chickasaw Nation
Indian Terr
Pickens Co

Dougherty I. T. Aug 26 1899.

Now comes M. Moore and upon oath states that she knows Josephine Overstreet for thirty five years & knew here at the time to be a Indian by Blood her Mother being a Indian. She now being Married to a White Man & U.S. Citizen. Under the Act and has all rights of Citizen. Like also has a farm recorded in Townsite in the Chickasaw Nation 1/4 of a stone wall I. T. Sworn to & subscribed before me this 26 day of Aug 1899

her
Nora M. Moore
X
mark

J.B. McCoy
J.P.

I, W. O. Mosely, [illegible] the Chickasaw Nation do hereby certify that the foregoing [illegible] is a true and correct transcript from the records of my office.

Given under my hand this 26 day of Sept 1899.

O. W. Mosely Gov C.N.

#936

Ex parte,

Josephine Thomson
et al

Demur

FILED SEP 30 1936
A. S. [illegible]ON

TO THE HONORABLE DAWES COMMISSION:

Ex Parte Josephine Fowler et al

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION.

By Its Attorneys.

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Josephine Anderson et al
for Enrollment in the Chicka-
saw Nation.

--: Demurrer and Answer :--

Filed Oct. 31, 1906.
H. M. Jamison
Clerk.

Claims by blood
But is a white woman

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :

-----o-----

In the Matter of the Application of Jeannette Anderson

-----o-----

Now comes the Chickasaw Nation, by its attorneys, and respectfully excepts to the application herein, and says that the same is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully directs this Commission that the evedence produced by the application is insufficient in that it does not show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights, privileges and immunities as a citizen.

THEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys

--: [illegible] :--

---o---

In the Matter of the Application for Enrollment as a Chickasaw Citizen

of Josephine Anderson et al

---o---

[illegible] Chickasaw Nation, by its Attorneys, and, without

waiving or intending to waive any of the rights of the said Chickasaw Nation;

but specifically reserving, and insisting upon the right of the Chickasaw

Nation, to object to the jurisdiction of this Honorable Tribunal to hear

and determine the matters and things hereinafter set forth, and to the

sufficiency of the petition and each and every allegation therein contained,

for answer thereto, respectfully shows to the Court:

That it denies each and every allegation of fact in the petition herein

contained, except such as are hereinafter specifically admitted to be true.

That it denies that the petitioners herein have been [illegible] and all of them are now, and always have been citizens

of the United States; and that none of the petitioners herein have

acquired the status of citizens [illegible] by virtue of [illegible] and are entitled to enrollment as such [illegible]; and denies that the

application of the petitioners or any of them, states a foundation

in fact or proof. The Chickasaw Nation avers, in support of the allegations herein contained the exhibits hereto attached, and asks that they

be considered a part of this answer.

W H E R E F O R E , It prays that the application filed

herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

POOR ORIGINAL -
BEST AVAILABLE COPY

In the Matter of the Application for Enrollment in the Chickasaw Nation

of Josephine Anderson et al.

-----o-----

Indian Territory,)
) ss. --: Affidavit of Nelson Chigley :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared Nelson Chigley, who, being sworn. on oath deposes and says: My name is Nelson Chigley; I am a Chickasaw Indian by blood, and am 62 years of age; I came to the Chickasaw Nation from Mississippi with the Chickasaw Tribe of Indians in the year 1837, and have lived here ever since; I have been Governor of the Chickasaw Nation, and have held other offices under said Government; I am familiar with all the Chickasaws by blood or otherwise, and know them either personally or by tradition; I made an affidavit for the applicant herein, that Aaron, Johnson, Dilcy, Annie, and Charlotte Brown, were full blood Chickasaw Indians; but I now state that I do not believe and never heard of this applicant being related to them in any manner whatsoever; and I never heard of her being a Chickasaw Indian or exercising any of the privileges as such; my judgment is that the applicant, Josephine Anderson, is a white woman.

his
Nelson × Chigley.
mark

Subscribed and sworn to before me on this the 23rd day of October, A. D., 1896.

Notary Public.

End

1896 chic 237

237

No. ~~1476~~

Ada Allison

v

Chickasaw Nation

Filed 7 Sept 1896
H. M. Jeeway
Clk.

~~Evidence~~

Application dismissed for want of Evidence

No.

Petitions of A. C. Dunnant

for and on behalf of

Ada Allison

and heirs.

No Evidence.

APPLICATION FOR CITIZENSHIP.

To the Honorable Henry L. Daws, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabiness and Alexander B. Montgomry, United States Commissioners. Authorized by an act of Congress of June 4th 1896, to hear and determine *Claims for citizenship* in the Choctaw Nation.

Gentlemen: The undersigned, your petitioner A. R. Durant for and on behalf of Ada Allison and heirs; this day makes this their application to you for the purpose of being placed on the roll of ~~Choctaw~~ Chickasaw Indians and of those entitled to share in the distribution of funds and allotments of land in the ~~Choctaw~~ Chickasaw Nation, by virtue of their, his, her Chickasaw ~~Choctaw~~ blood and herewith submit the ground of claim. The claimant is a niece of John Moore and John Moore is the father of Mary Wallace who is a recognized citizen of the Chickasaw Nation and is entitled to the benefits of such citizens.

in support of said claim and respectfully await the time when Ada Allison application shall be heard and tried.

Respectfully submitted

A. R. Durant

Enrollment of family with relationship attached, as follows

Names.	Age	Relationship.
Ada Allison		
J. F. Allison		Husband of the Claimant

In witness of which I here unto set my hand on this 31 day of Sept 1896

Ada Allison

Sworn to and subscribed before me this 31st day of Sept 1896

E. B. Burwell

Notary Public

Canadian Co O T.

End

1896 chic 238

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Dennis Allen et al for En-
rollment in the Chickasaw Na
tion.

)); A N S W E R ((:

Received P.O. Muskogee

Feb 31, 1896,

H. W. Jamison,
Secy.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

In the Matter of the Aplication for Enrollment in the Chickasaw Nation

of Reuben Allen et al

The Chickasaw Nation denies that the applicants, or either of them are citizens of the Chickasaw Nation either by blood or otherwise; but says that they are now ,and have at all times been citizens of the United States

Second--The Chickasaw Nation respectfully shows to this Honorable Commission that the applicants herein base their claim upon the evidence adduced in the claim of J. H. Lee et al; and this Honorable Commission is respectfully referred to the same, and also the answer of the Chickasaw Nation in said case of J. H. Lee et al., and especial attention of this Commission is requested to the exhibits of said Nation attached to said Answer of the said Nation to said J. H. Lee; and the said Chickasaw Nation rests the case and application herein upon the decision in regard to the claim of the said J. H. Lee et al.

W H E R E F O R E , It prays that all of the applicants herein be rejected, and will ever pray, et c.,

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application for Enrollment in the Chickasaw Nation of_____

-----o-----

Indian Territory,)
) ss. --: Affidavit of Mrs. Elizabeth Wolf :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared Mrs. Elizabeth Wolf, who, being duly sworn, deposes and says: My name is Elizabeth Wolf; I am the wife of Jonas Wolf, who was formerly Governor of the Chickasaw Nation; I am a Chickasaw Indian by blood, and am about 45 years of age; I was born at or near Boggy Depot, in the Chickasaw Nation, and have always lived in the Chickasaw Nation; John Lewis, through whom the applicants claim, was an ~~uncle~~ brother of my mother, and I knew him well; he ~~had~~ had one sister, named "A-chi-ho-ka"--that was her Indian name; she was never married; I don't know whether her English name would have been "Charlottee" or "Chalite" or not; she never had any children by the name of"Lee"; I knew her when she died; this John Lewis, my ~~uncle~~ uncle, was the only Chickasaw by that name that I ever knew; I never knew of any of my relations marrying a man by the name of "Lee".

her
Elizabeth + mark Wolf

Subscribed and sworn to before me on this the 22nd day of October, A. D., 1896.

W. M. Adams

Notary Public.

Indian Territory,)
) ss.
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared, C. A. Burris, who, being first duly sworn, deposes and says: My name is C. A. Burris; I am 67 years of age, and am a Chickasaw Indian by blood; I came to this country with the Chickasaw Tribe of Indians from the state of Mississippi, in the year 1837, and have lived here ever since said time; I have been a member of the House of Representatives of the Legislature of the Chickasaw Nation; also Senator; District Judge; Supreme Judge, and was this year Delegate to Washington in the interest of the Chickasaws; there was a town in Mississippi, called Pontotoc, where the Chickasaws used to meet every year in a sort of a reunion, and I used to attend them; I never heard of a Chickasaw by the name of "Ben Lewis", "Martha Ann Lee", or "Asa Lee", or of any of their descendants until today; I believe that if any such persons had been members of the Chickasaw Tribe of Indians, that I would at least have heard of them by tradition; I am satisfied that the claim made by the applicants herein is fictitious and fraudulent.

C C Burris

Subscribed and sworn to before me on this the 23 day of October, A. D., 1896.

[illegible]

Notary Public.

Tishomingo Ind Territory

To the Honorable Dawes Commission
Vinita I.T.

Now Comes Dennis Allen and says that he is the Son of Zachariah Allen a Cousin of Charity Lewis the Mother of J.H. Lee and was a Chickasaw Indian by blood and

Further says that his and his brothers families Consist of the following named persons Viz John Allen Jr Allen James H Allen Richard Blake Allen William L Allen Love W. Allen Nancy E Allen L. L Allen M M Allen L A Allen J R Allen J H Allen J.D. Allen M. N. Allen D. L Allen L.B. Allen ~~Wood~~ M E Allen and himself

He therefore prays that your honorable body will examine the accompanying Affidavits and do what you think is just and right in the premises believing that you will decide that himself and the above named heirs are entitled to be enrolled as citizens of the Chickasaw Nation

Dallen

Sworn to and Subscribed before me
this 22nd day of August 1896

W. H. Lucas
Notary Public.

8/17/96

A Notary Public This day appeared before me J. H. Lee being duly sworn and says: he personally acquainted with Lewis Allen for allen and John Allen heirs of Jehrich Allen being known cousin to Charity Lewis the Wife of James A Lee afterwards the Wife of George morgan Jehrich allen being a Citizen of the Choctaw Nation at Boggy Depot I.T. in year of 1843 to 1855.

I J.H. Lee further stated that thy ~~to~~ Before going artucle are Chief Kasaus by Blood

J.H Lee

Sworn to and Subscribed before me This the 19th Day of Aug 1896

J.C. Chapman
Notary Public
In and for the Third Judicial Divis

8/19/96.

this day appeared Before
me A Nida[illegible] Clerk of Hawkins
Dealy after Duly Sworn
and Says. I have personal-
ly Acquented with Zchrich
Allen and his family,
at the Boggy Depot Choctaw
Nation in the year of 1850
And the Above Heirs by the
Names of Louis Allen for
Allen and John Allen, at
that time and Zchrich Allen
and Charrity Louis were
the the Known cousins, I
Hawkins Dealy for the state
and that the above mention
are the same heirs of
Zchrich Allen Charrity
Louis being the mother
of J. H. Lee I am the
Chickasaw Indian by Blood

Witness
J. H. Lee

his
Parker X Dealy
mark

Sworn to and Subscribed before me
This the 19th Day of Aug 1896

J. E. Chatwood
Notary Public
In and for the Third Judicial Division Ch[illegible]

8/19/96.

This day appeared before
me a Notary Public Wallace
Underwood after being
Duly Sworn and Says,
I have acquainted with
Jehrich Allen at the Boggy
Depot I.T. in the year of 1856
and they have hairs by the
names of Louis Allen Jor-
Allen and John Allen, at
that time Jehrich Allen
and Charity Louis was
Known Cousins, And I
Wallace Underwood Jestur
Stated, the same and
these Articles above mention
in this are the same
hair of Jehrich Allen
Charity Louis being the
mother of J.H. Set
I am the Child as an Indian
Nation by Blood.

his
Witness Wallace X Underwood
O'Allen mark

Sworn to and Subscribed before me
This 19th Day of Aug 1896

J. C. Chaffin
Notary Public
In and for the Third Judicial Division Choctaw

~~1058~~

238

Dennis Allen

v.

Seminaw Nation

Filed Sept. 5, 1886.

H. M. Jameson
Secretary

Denied

P. L. Boyd
Judge, D. J.

Received of R. L. Boyd a copy of the application of Dennis Allen to the Dawes Commission for Citizenship in the Chickasaw Nation. and also Copies of the Affidavits of J. H. Lee. Harkin Seely and Wallace Underwood in support of Same.
This 31st. day of August 1896

S. S. Mosely.
Governor of the Chickasaw Nation.

TO THE HONORABLE DAWES COMMISSION :

Ex Parte J. Allen et al

Comes now the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim to citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E , It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that sais application is insufficient in that the same shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION.

By Its Attorneys.

End

1896 chic 239

REGISTRY RECEIPT.

Post Office at Cumberland 2nd Tex

Registered Letter / Parcel No. 14 Rec'd 7/25 1896

of J W Archard

Linn 2nd Tex

addressed to Gen C A Mosely

Wahpanoucca 2nd Tex

A J Boone P. M.

him, and have some disinterested person to make affidavit in form.

I, C.B Scarbrough, do solemnly swear that on the 25th day of August, 1896, I saw a package registered at the postoffice at Cumberland Ind Ter, addressed to Hon. P.J. Mosley Governor or Chief of the Chickasaw Nation, Wahpanucka Ind. Ter., that registry receipt, No. 16, received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of W.O Archard & C and of the affidavits of Mrs Louisa Burney and O.H Fowler in support of same.

C.B Scarbrough

Subscribed and sworn to before me, on this 5th day of Sept 1896.

Notary Public for Southern District Ind Ter C.B Scarbrough N.P

Ex #178

Jane M. Greenhood
et al

vs

Heirs

FILED SEPT. 30 1896.
A. S. McKENNON
Commissioner

TO THE HONORABLE DAVIES COMMISSION:

P.M.

TO THE HONORABLE DAWES COMMISSION:

Ex Parte J. M. Archard et al

Comes now the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim to citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E , It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that said application is insufficient in that the same shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION.

BY ITS ATTORNEYS.

Marriage Record for 1878
Jackson County Ohio

I, the undersigned Deputy Auditor
of said County, do hereby certify that I have before
me the records of the Probate Court
of said County, in the possession and keeping
of the Clerk of said Court
given under my hand and seal this 2nd day
of Oct A.D. 1878.

J. F. Boyle
Deputy Auditor
Jackson Co. Ohio

I, Geo. Peck Clerk of the Probate Court within and for the County of Jackson and State of Ohio do hereby certify that the above and foregoing is a true and correct copy of the original Marriage Record of Richard Evans and Elizabeth Jones as the same appears of record in my office.

In Testimony Whereof I have hereunto subscribed my name and affixed the seal of said Court at my office in Jackson this 20th day of August A.D. 1878.

Geo. Peck
Clerk Probate Court
Jackson Co. Ohio

No.... .

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of J. W. Archerd, Jr., et al,
for Enrollment in the Chickasaw
Nation.

--: A N S W E R :--

FILED Oct 3 1896
A. S. McKENNON
COM'R

No Contest

x. 6

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CICILIZED TRIBES :--

-----o-----

In the Matter of the Application of J. W. Archerd, Jr.; his wife, Nancy J. Archerd; their children Emly E. Archard, Ada Archerd, Willie Archerd and Sidney Archerd, for Enrollment in the Chickasaw Nation.

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein, and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First--The Chickasaw Nation admits that the said Nancy J. Archerd is by blood a Chickasaw Indian, and that her childrem, born of lawful wedlock with the said J. W. Archerd, Jr., are also Chickasaw Indians, each of whom is entitled to enrollment in said Nation; which right has in no manner been refused them by the Chickasaw Nation.

Second--The Chickasaw Nation admits that the said ~~Nancy~~ J. W. Archerd, Jr., was lawfully married to said Nancy J. Archerd, nee Burney, as claimed, and on the date alleged in said application; it admits that the said J. W. Archerd, Jr., is entitled to such rights and privileges, only, as have been guaranteed to intermarried citizens of the Chickasaw Nation by the laws, constitutions and treaties in force in the Chickasaw Nation at the date of said marriage; it denies, however, that said J. W. Archerd, Jr., is entitled to be enrolled, except as an intermarried citizen; or that he is entitled to share in the proceeds of any annuities or lands belonging th the said Chickasaw Nation; and respectfully asks that, in his said enrollment, he be so designated, so that, if the necessity requires in the future, his rights will be defined, and no portion of the property belonging to the Chickasaw Nation will be decreed to him.

All of which is respectfully submitted.

THE CHICKASAW NATION, By Its Attorneys.

REGISTRY RECEIPT.

Post Office at Cumberland 2nd Tex

Registered Letter / Parcel } No. 14 Rec'd 7/21 1896

of J. W. Orchard

Lisman 2nd Tex

addressed to Hon C S Brantley

Wahpanucca 2nd Tex

A J Toone P. M.

239

No. ~~3264~~

J. W. Archord &c

v

Cherokee Nation

Filed 9 Sept 1896
W. M. Scrivner
Clk

No contest

R. McLish

J. W. archord = Intermarried
Wife & children by Blood
2nd Fam

Before the Honorable Dawes Commission:

The Chickasaw Nation } Affidavit of C. B. Scarbrough
County of Pickens }

I, C. B. Scarbrough do solemnly swear that on
the 22nd day of August 1896, I saw a package
registered at the post office at Cumberland I. T.
addressed to Hon P. S. Mosley Governor or
Chief of the Chickasaw Nation, Ind. Ty.,
that registry receipt No. 17 received from
postmaster, I here to attached, is a receipt for
said package which contained true copies
of the application of J. W. Orchard Jr.
and of the affidavits of Mrs Louisa Burney
and A. W. Law in support
of same. C B Scarbrough

Subscribed and sworn to before me
on this 5th day of Sept 1896.
J. Scarbrough Notary Public
for Southern District Ind Ter.

" BEFORE THE HONERABLE DAWS COMMISSION "

APPLICATION OF J.W. ARCHERD JR., NANCY J ARCHERD,HIS WIFE,EMLY E. ARCHERD,ADA ARCHERD,WILLIE ARCHERD AND SIDNEY ARCHERD .

EX PARTE,

Your petioners J.W. Archerd, Jr., Nancy J. Archerd, his wife Emly E. Archerd, Willie Archerd,and Sidney Archerd,would respectfully represent.

That J.W. Archerd, Jr., was duly and lawfully married according to the laws of the Chickasaw Nation on to the 3rd day of October 1878,to one Nancy J. Burney;that the said Nancy J. Burney was a Chickasaw Indian by blood and was recognized as such,and that the said marriage between the said J.W. Archerd, Jr., and Nancy J. Burney was performed in all respects as required by the Chickasaw law then in force,and that they have continously lived together since said marriage up to the present date.

That there was born to the said J.W. Archerd, Jr., by his marriage with the said Nancy J. Burney,Eight children four of whom are dead and four nowliving and joins in this application,.

Wherefore they present this their application to be enrolled as members of the Chic.asaw tribe or Nation of Indians by this Honerable Commissione and that theym be granted all the rights and privileges as such and of this they will ever pray.

Chickasaw Nation,
Indian Territory,

The affiant J.W. Archerd, Jr., says that he is one of the petioners in the above and foregoing application and that the statement made in the foregoing application are true.

J. W. Archerd, Jr.,

Subscribed and sworn to before me this the 1st day of May 1896.

L. P. Lewis

Notary Public, Southern District

"BEFORE THE HONERABLE DAWS COMMISSION"

IN RE,

Application of J.W. Archerd Jr., and family to be enrolled as members of the Chickasaw tribe or Nation of Indians.

ooo

Chickasaw Nation,)
Indian Territory,) SS, Affidavit of A H Laws
Pickens County,))

A H Laws being duly sworn upon his oath says I am a Chickasaw Indian citizen and reside at Ardmore, Chickasaw Nation ,I am well acquainted with J.W. Archerd, Jr., and I know that the said J.W. Archerd, Jr., was married in October 1878,to Nancy J. Burney,who was a Chickasaw Indian by blood,under the laws and regulations of the Chickasaw Nation.

As the result of said marriage the said J.W. Archerd Jr., has four childred,namely ,Emly E. Archerd,Ada B. Archerd,William Archerd and Sidney Archerd,who are all alive at this date and residing xx with their father and Mother near Lynn I.T. in Pickens County Chickasaw Nation .

The said J.W. Archerd, Jr., has continuously lived with his wife Nancy J. Burney since said marriage,and that the said J.W. Archerd, Jr., has been recognized as a member of said tribe or Nation of Indians since said marriage.He has been elected as secretary of the Chickasaw Lagislature and served as such for two years;and that the said J.W. Archerd Jr., has received his propotion of all annuity money paid to the members of the Chickasaw tribe or Nation of Indians since said marriage.

A H Laws

Subscribed and sworn to before me this the 17 day of Aug 1896.

L P Laws

Notary Public Southern District I.T.

"BEFORE THE HONERABLE DAWS COMMISSION "

IN RE,

Application of J.W. Archerd, Jr., and family to be enrolled as members of the Chickasaw tribe or Nation of Indians.

----------oOo----------

Chickasaw Nation,)
Indian Territory,) SS. Affidavit of Mrs Louisa Burney
Pickens County,)

Mrs Louisa Burney being duly sworn on his oath says I am a Chickasaw Indian Citizen and reside at Cumberland Chickasaw Nation, I am well acquainted with J.W. Archerd, Jr., and I know that the said J.W. Archerd, Jr., was married in October 1878, to Nancy J. Burney, who was a Chickasaw Indian by blood, under the laws and regulations of the Chickasaw Nation.

As the result of said marriage the said J.W. Archerd, Mr., has four children, namely, Emly E. Archerd, Ada B. Archerd, William Archerd, and Sidney Archerd, who are all alive at this date, and residing with their Father and mother near Lynn I.T. in Pickens County, Chickasaw Nation.

The said J.W. Archerd, Jr., has continuously lived with his wife Nancy J. Burney since said marriage, and that the said J.W. Archerd, Jr., has been recognized as a member of said tribe or Nation of Indians since said marriage. He has been elected as secretary of the Chickasaw Legislature and served as such for two years; and that the said J.W. Archerd, Jr., has received his propotion of all annuity money paid to the members of the Chickasaw tribe or Nation of Indians sicne said marriage.

Mrs Louisa her Burney
mark

Subscribed and sworn to before me this the 24 day of Aug 1896.

L Leadbeater
Notary Public Southern District I.T.

End

1896 Chic 240

#735

Louisa Block

Chickasaw

Filed Feb 9-1896

A. S. McKennon

Comm

Application Denied

Ada I.T.

I w. fried do swear that I am
not interested in this claim and
that a true copy of the petition and
affidavits hereto attached was
sent by registered mail to the
commissioner of the Chickasaw
Nation august 9, at 1896.

w. fried

Sworn to and subscribed before
me this 8th day of sept 1896

Jno. G. McClung
Notary Public

United States of America
Cherokee Nation
Indian Territory.

To the Hon Commission to the
five Civilized Tribes

Your petitioner Louisa Black
would most respectfully show
to your honorable body. That
She is a Cherokee and Indian
by blood as follows to wit her
father Kiles Brown is an Cherk
ee an Indian and her Mother
is Lena Brown a Colored
woman Wherefore she prays
that your honorable body Con-
sider the evidence herewith sent
in support of her Claim that
She be Enrolled as a Cherokee
by intermarriage Indian & She will ever pray

her
Louisa × Black.
mark

Witness.

Louisa. Black

R Black Sworen to and subscribed before
me this 26th day of August. 1896.

Jno. G. McGinnis
Notary Public.

United States of America
Chickasaw Nation
Indian Territory

In the matter of the
Claim of Liza Black to be enrolled
as a Chickasaw Indian Kilo Brown
being duly sworn in relation to said
claim testifies as follows to wit,
my Name is Kilo Brown
I am a Chickasaw Indian under
the laws of the Chickasaw Nation
as a Chickasaw Indian I know
Liza Black she is my daughter
I am 75 years old my Post Office
address is Ada I.T.

Kilo X Brown

J.
L Evans

Sworn to and subscribed before
me This 26th day of August 1896

Jno A McKinzie
Notary Public

United States of America
Chickasaw Nation
Indian Territory

In the matter of the Claim
of Luiza Black to be enrolled as a
Chickasaw Indian Edmond Brown
being duly sworn in relation to said
claim Testifies as follows to wit my
Name is Edmond Brown I
know Luiza Black have known
her a long Time she is the daughter
of Kilo Brown. Kilo Brown is a
Chickasaw Indian his name is
on the roll of the Chickasaw Nation
and he has always been recognized
as a Chickasaw Indian I am
about 75 years old my Postoffice
is Ada I.T.

his
Edmond Brown
mark

Witness
B. Hurst.
L Black

sworn to and subscribed before
me this 26th day of Aug 1896

Jno A McKinney
Notary Public

United States of America
Chickasaw Nation
Indian Territory

In the matter of the claim
of Louisa Black to be enrolled
as a Chickasaw Indian. Aaron
Newberry being duly sworn by
me relative to said claim testifies
as follows to wit: My Name is
Aaron Newberry I am 61 years
old I am a half blood Chickasaw
Indian I know Louisa Black
she is the daughter of Kilo Brown
Kilo Brown is a Chickasaw
Indian as has always been
recognized as such I have no
interest in this claim my
Post Office is Ada I.T.

In Presence
of Witness
L Black

Aaron his X mark Newberry

Sworn to and subscribed before
me this 26th day of August 1896.

Jno A McClung
Notary Public

United States of America
Chickasaw Nation
Indian Territory

In the matter of the Claim
of Eliza Black to be enrolled
as a Chickasaw Indian Gipson Clark
being duly sworn in relation
to said claim Testifies as follows
to wit my name is Gipson Clark
I am 54 years old my Post office
is Ada I.T. I am not kin to
Eliza Black I know Eliza Black
have known her ever since she
was small she is the daughter of
Kilo Brown. Kilo Brown is a
Chickasaw Indian is on the rolls
of the Chickasaw Nation and has
always been recognized as a Chickasaw
Indian

Gipson his X mark Clark

In presence
of H. West
L Clark

sworn to and subscribed before
me this 26th day of August 1896

Jno. A. McKinney
Notary Public

4

Block

Louisa ~~Block~~

vs

Plaintiff's Petition

Demurrer

and Answer

FILED OCT .23 1896
A. S. McKENNON,
COM'R-

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :

In Parts [illegible]

Comes now the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the said application is insufficient in Law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation

of

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First--That the laws of the Chickasaw Nation forbid the intermarriage of a Chickasaw Indian by blood with any negro.

Second--That the laws of the Chickasaw Nation have never adopted any of its freedmen;but refused to accept that condition of the Treaty which stipulated that they should have two years and ninety days in which to adopt the said freedmen; all of which appears by the various acts of the Legislature of the Chickasaw Nation; which will be hereafter submitted as exhibits in these cases.

Third--That the Chickasaw Nation is not advised whether or not the applicants herein are Chickasaw Freedmen; but says that it has a roll of all the original slaves owned by Chickasaws at the date of the Emancipation, which it can furnish to this Honorable Commission, if it should be held that the said Freedmen are entitled to any rights, privileges or immunities in the Chickasaw Nation under said Treaty--which is not conceded by the Chickasaw Nation, but is especially denied.

Fourth--The Chickasaw Nation says that no rights could ever be conferred, (if any rights were had), by the Chickasaw Freedmen, by intermarriage, upon another and different person, or the descendants thereof.

W H E R E F O R E , It prays that the application herein, together with those of all other Freedmen, be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

End

1896 Chic 241

No. 241..

Before the Honroable Commission
to the Five Civilized Tribes

In the Matter of the Application
of Mobile Richardson et al for
Enrollment in the Chickasaw
Nation.

--: A N S W E R :--

Filed Oct 29. 1896.
H. M. Jacoway
Clerk.

To the Honorable Dawes Commission

Ex Parte Mahala Richardson et al

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is indufficient in law.

WHEREFORE, It prays that the said application be dismissed.

Second--For special exception the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third.-- For furt er special exception the Chickasaw Nation say that the application herein is not sufficient in that it shows that the applicant has not complied with the laws of the said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

Lee Ammon & Laney Stevenson.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Mobile Richardson et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and have at all times been, citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the petition of the applicants herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached and asks that they be considered as a part of this answer.

W H E R E F O R E , It prays that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Mabel Richardson et al

-----o-----

Indian Territory,)
) ss. --: Affidavit of W. F. Harrison :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared W. F. Harrison, who, being first sworn, deposes and says: My name is W. F. Harrison; I am 77 years of age, and have resided in the Indian Territory ever since 1854, and have been in the Chickasaw Nation since 1870; I am a practicing lawyer in the Indian Courts; I have been Attorney-General of the Chickasaw Nation; District Judge, County Judge; delegate to Washington in the interest of the Chickasaws, and have been intimately acquainted with the affairs of the Nation for the past 25 years; I was well acquainted with Laney Stephenson, through whom the applicants claim; she was a slave owned by James Colbert, and was born free from her mother, quite young; her husband's name was Neelo, and he was a negro slave who belonged to ~~xxxxxx~~ Susan Colbert, the grandmother of my wife; said Susan Colbert was the widow of James Colbert; if these applicants claim through Laney Stephenson, they are all negroes, or bastards; Laney Stephenson was not a Chickasaw; neither was her husband; they were both negroes, as stated above. Laney and all of her descendants were free negroes, and were not even Chickasaw slaves at the time of the Emancipation

W. F. Harrison

Subscribed and sworn to before me on this the 26th day of October, A. D., 1896.

John Bacon

Notary Public.

Third Judicial Division of Indian Territory,)
)
-----o-----) --: AFFIDAVIT :--
)
Chickasaw Nation, County of Pickens.)

Personally appeared before me, a Notary Public, Laney Stepheson, formerly Laney Colbert, after being duly sworn by me deposeth and says:

My name is Laney Stepheson, formerly Laney Colbert; I am about one hundred years old; I was lawfully married to Mobile Stepheson at Chillihowa, Miss.; my father was a full blood Chickasaw Indian; I came to this country with the Chickasaw Indians, when they came here; my mother was a slave, owned by my father, James Colbert; I raised fifteen children by my husband, Mobile Stepheson, and are named as follows: Eliza, Caddis, Louisa, Banks, Dick, Louis, Cornelia, Sarah, Elmira, Diner, Bob, Joe, Dud, David and one infant, deceased; there is nine of my children out of the above named, who lived to be grown and raised families, that are dead, who are as follows: Caddis, Banks, Louisa, Cornelia, Sarah, Bob, Diner, Louis, Dud, which their children are fentitled to citizenship also. This evidence is from my own personal knowledge. I am not dictated or prompted or aided by any written statement or by any person.

Witness my hand and seal this 27 day Aug., A. D., 1896.

HER
LANEY MARK STEPHENSON.
MARK

Witness:
John Kendrick,
King L. Chapman.

Subscribed and sworn to before me a Notary Public, as witness my hand and seal this 27 day of Aug., A. D., 1896.

JASPER N. BLACK.

-----o-----

Indian Territory,)
) ss.
Chickasaw Nation.)

This is to certify that I have examined the above and compared the same with the original affidavit, and know that the transcript above is a true and correct copy of the original.

Given under my hand and seal this the ___ day of October, A.D., 1896.

Notary Public, in and for the Southern District of the Indian Territory.

No. 2.44....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of David Stepheson et al for
Enrollment in the Chickasaw
Nation.

-- DEMURRER AND ANSWER :--

Filed Oct 29/96.
H. Jaconway
Secy

To the Honorable Dawes Commission

Ex Parte Laura Stephenson

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is indufficient in law.

WHEREFORE, It prays that the said application be dismissed.

Second--For special exception the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third.-- For further special exception the Chickasaw Nation says that the application herein is not sufficient in that it shows that the applicant has not complied with the laws of the said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

Ed Lucas Stephenson Attorney

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation

of David Stepheson et al

-----o-----

Now comes the Chickasaw Nation, by its attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First--That the laws of the Chickasaw Nation forbid the intermarriage of a Chickasaw Indian by blood with any negro.

Second--That the laws of the Chickasaw Nation have never adopted any of its freedmen;but refused to accept that condition of the Treaty which stipulated that they should have two years and ninety days in which to accept the said freedmen: all of which appears by the various Acts of the Legislature of the Chickasaw Nation, and which will be hereafter submitted as exhibits in these cases.

Third--That the Chickasaw Nation is not advised whether or not the applicants herein are Chickasaw Freedmen; but says that is has a roll of all the original slaves owned by the Chickasaws at the date of the Emancipation, which it can furnish to this Honorable Commission, if it should be held that said freedmen are entitled to any rights, privileges and immunities in the Chickasaw Nation, mentioned in said Treaty--which is not conceded by the Chickasaw Nation, but is especially denied.

Fourth--The Chickasaw Nation says that no rights could have ever been conferred, (if any rights were had), by the Chickasaw Freedmen, by intermarriage, upon another and different person, or the descendants thereof.

W H E R E F O R E , The Chickasaw Nation prays that the application here, together with those of all other freedmen, be rejected, and will ever pray, etc.

THE CHICKASAW NATION'

By Its Attorneys.

In the Matter of the Application for Enrollment in the Chickasaw Nation

of [illegible]

---o---

Indian Territory,
Chickasaw Nation. } ss. --: Affidavit of H. F. Murray :--

Before me, the undersigned authority, on this day personally appeared H. F. Murray, who, being first sworn, deposes and says: My name is H. F. Murray; I am 77 years of age, and have resided in the Indian Territory ever since 1864, and have been in the Chickasaw Nation since 1870; I am a practicing lawyer in the Indian Courts; I have been attorney-general of the Chickasaw Nation; District Judge, County Judge; Delegate to Washington in the interest of the Chickasaws, and have been intimately acquainted with the affairs of the Nation for the past 26 years; I was well acquainted with Laney Stephenson, through whom the applicants claim; she was a slave owned by James Colbert, who set her free when she was quite young; her husband's name was Kebila, and he was a negro slave who belonged to ~~xxxxxx~~ Susan Colbert, the grandmother of my wife; and said Susan Colbert was the widow of James Colbert; if these applicants claim through Laney Stephenson, they are all negroes, or bastards; Laney Stephenson was not a Chickasaw; neither was her husband; they were both negroes, as stated above. Laney and all of her descendants were free negroes, and were not even Chickasaw slaves at the time of the Emancipation

H. F. Murray

Subscribed and sworn to before me on this the 26th day of October, A. D., 1896.

[illegible]

Notary Public.

Third Judicial Division of Indian Territory,)
)
-----o-----) --: AFFIDAVIT :--
)
Chickasaw Nation, County of Pickens.)

Personally appeared before me, a Notary Public, Laney Stepheson, formerly Laney Colbert, after being duly sworn by me deposeth and says:

My name is Laney Stepheson, formerly Laney Colbert; I am about one hundred years old; I was lawfully married to Mobile Stepheson at Chillihoma, Miss.; my father was a full blood Chickasaw Indian; I came to this country with the Chickasaw Indians, when they came here; my mother was a slave, owned by my father, James Colbert; I raised fifteen children by my husband, Mobile Stepheson, and are named as follows: Elsa, Gaddis, Louisa, Banks, Dick, Louis, Cornelis, Sarah, Elmira, Diner, Bob, Joe, Dud, David and one infant, deceased; there is nine of my children out of the above named, who lived to be grown and raised families, that are dead, who are as follows: Gaddis, Banks, Louisa, Cornelis, Sarah, Bob, Diner, Louis, Dud, which their children are fentitled to citizenship also. This evidence is from my own personal knowledge. I am not dictated or prompted or aided by any written statement or by any person.

Witness my hand and seal this 27 day Aug., A. D., 1896.

HER
LANEY ~~MARK~~ STEPHESON.
MARK

Witness:
John Kendrick,
King L. Chapman.

Subscribed and sworn to before me a Notary Public, as witness my hand and seal this 27 day of Aug., A. D., 1896.

JASPER N. BLACK.

-----o-----

Indian Territory,)
) ss.
Chickasaw Nation.)

This is to certify that I have examined the above and compared the same with the original affidavit, and know that the transcript above is a true and correct copy of the original.

Given under my hand and seal this the ___ day of October, A.D., 1896.

Notary Public, in and for the Southern District of the Indian Territory.

No. 241...

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of John Kindrick et al for
Enrollment in the Chickasaw Na-
tion.

--: A N S W E R :--

Filed Oct 29. 1896.
H M Jocelyn
Dep

To the Honorable Dawes Commission

Ex Parte John Reddick, et al,

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is indufficient in law.

WHEREFORE, It prays that the said application be dismissed.

Second--For special exception the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third.-- For further special exception the Chickasaw Nation say that the application herein is not sufficient in that it shows that the applicant has not complied with the laws of the said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

Sam Amos Lacy Stephenson.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation

of John Kindrick et al

-----o-----

Now comes the Chickasaw Nation, by its attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First--That the laws of the Chickasaw Nation forbid the intermarriage of a Chickasaw Indian by blood with any negro.

Second--That the laws of the Chickasaw Nation have never adopted any of its freedmen;but refused to accept that condition of the Treaty which stipulated that they should have two years and ninety days in which to accept the said freedmen: all of which appears by the various Acts of the Legislature of the Chickasaw Nation, and which will be hereafter submitted as exhibits in these cases.

Third--That the Chickasaw Nation is not advised whether or not the applicants herein are Chickasaw Freedmen; but says that is has a roll of all the original slaves owned by the Chickasaws at the date of the Emancipation, which it can furnish to this Honorable Commission, if it should be held that said freedmen are entitled to any rights, privileges and immunities in the Chickasaw Nation, mentioned in said Treaty--which is not conceded by the Chickasaw Nation, but is especially denied.

Fourth--The Chickasaw Nation says that no rights could have ever been conferred, (if any rights were had), by the Chickasaw Freedmen, by intermarriage, upon another and different person, or the descendants thereof.

W H E R E F O R E , The Chickasaw Nation prays that the application here, together with those of all other freedmen, be rejected, and will ever pray, etc.

THE CHICKASAW NATION'

By Its Attorneys.

In the Matter of the Application for Enrollment in the Chickasaw Nation

of [illegible]

-----o-----

Indian Territory,
Chickasaw Nation. } ss. --: Affidevit of H. F. Murray :--

Before me, the undersigned authority, on this day personally appeared H. F. Murray, who, being first sworn, deposes and says: My name is H. F. Murray; I am 77 years of age, and have resided in the Indian Territory ever since 1854, and have been in the Chickasaw Nation since 1870; I am a practicing lawyer in the Indian Courts; I have been attorney-general of the Chickasaw Nation; District Judge, County Judge; Delegate to Washington in the interest of the Chickasaws, and have been intimately acquainted with the affairs of the Nation for the past 26 years; I was well acquainted with Laney Stepheson, through whom the applicants claim; she was a slave owned by James Colbert, who set her free when she was quite young; her husband's name was Mobile, and he was a negro slave who belonged to ~~xxxxxx~~ Susan Colbert, the grandmother of my wife; and said Susan Colbert was the widow of James Colbert; if these applicants claim through Laney Stepheson, they are all negroes, or bastards; Laney Stepheson was not a Chickasaw; neither was her husband; they were both negroes, as stated above. Laney and all of her descendants were free negroes, and were not even Chickasaw slaves at the time of the Emancipation

H. F. Murray

Subscribed and sworn to before me on this the 26th day of October, A. D., 1896.

[illegible]

Notary Public.

Third Judicial Division of Indian Territory,)
)
-----o-----) --: AFFIDAVIT :--
)
Chickasaw Nation, County of Pickens.)

Personally appeared before me, a Notary Public, Laney Stepheson, formerly Laney Colbert, after being duly sworn by me deposeth and says:

My name is Laney Stepheson, formerly Laney Colbert; I am about one hundred years old; I was lawfully married to Mobile Stepheson at Chillihoma, Miss.; my father was a full blood Chickasaw Indian; I came to this country with the Chickasaw Indians, when they came here; my mother was a slave, owned by my father, James Colbert; I raised fifteen children by my husband, Mobile Stepheson, and are named as follows: Elsa, Gaddis, Louisa, Banks, Dick, Louis, Cornelis, Sarah, Elmira, Diner, Bob, Joe, Dud, David and one infant, deceased; there is nine of my children out of the above named, who lived to be grown and raised families, that are dead, who are as follows: Gaddis, Banks, Louisa, Cornelis, Sarah, Bob, Diner, Louis, Dud, which their children are fentitled to citizenship also. This evidence is from my own personal knowledge. I am not dictated or prompted or aided by any written statement or by any person.

Witness my hand and seal this 27 day Aug., A. D., 1896.

HER
LANEY ~~MARK~~ STEPHESON.
MARK

Witness:
John Kendrick,
King L. Chapman.

Subscribed and sworn to before me a Notary Public, as witness my hand and seal this 27 day of Aug., A. D., 1896.

JASPER N. BLACK.

-----o-----

Indian Territory,)
) ss.
Chickasaw Nation.)

This is to certify that I have examined the above and compared the same with the original affidavit, and know that the transcript above is a true and correct copy of the original.

Given under my hand and seal this the ___ day of October, A.D., 1896.

Notary Public, in and for the Southern District of the Indian Territory.

United States of America :
The Indian Territory : s c t .
Southern Judicial District :

Before the Commission of the Five Civilized Tribes.

Application of L A N Y C O L B E R T and her descendants, Mobile Richardson, Laura Richardson, Amanda Richardson, Robert Richardson, Robert Farris, Jinnie Farris, Cora Farris , Henry Farris, William Farris, Oneil Farris Manuel Farris, Verginia Farris, Joe Farris, Hettie Farris, Pearly Farris, John Kindrick, Mary Kindrick, Rose Kindrick, Dina Kindrick, Tinny Kindrick, Marcus Hamilton, Barbey Hamilton, Willie Hamilton, Mollie Hamilton, Alice Hamilton, Lydia Hamilton, Laura Hamilton, Arthur Hamilton, Dewitte Hamilton ,David Stephenson, Viney Stephenson, Elwood Stephenson, Stella Stephenson, Flora Stephenson, Lorata Stephenson, Sam Stephenson, Fleet Stephenson, Simpson Stephenson, Joe Williams, Ellen Williams, Wellington Williams, Ama Williams, Nezer Williams Palina Williams, Iretta Williams, Mattie Williams, and Irena Williams.

Your applicants respectfully show that Lany Colbert is the daughter of James Colbert, a full blood Chickasaw Indian, as shown by by affidavits hereto attached; that she is about 100 years old and resides in the Chickasaw Nation.

That Mobile Richardson is a grandson of said Lany Colbert , Laura Richardson is the wife of Mobile Richardson and Amanda and Robert are their children;

That Robert Farris is a grandson of said Lany Colbert, Jinnie Farris is the wife of the said Robert Farris and Cora, Henry , William, Oneil, Manuel, Verginia, Joe, Hettie and Pearly are their children;

That Mary Kindrick is a granddaughter of the said Lany Colbert, John Kindrick is the ~~wife~~ husband of the said Mary Kindrick, and Rose, Dina and Tinny are their children;

That Marcus Hamilton is a grandson of the said Lany Colbert Barbey Hamilton is the wife of t e said Marcus Hamilton and Willie, Mollie, Alice , Lydia, Laura, Arthur, and Dewitte are their children;

David Stephenson is a son of the said Lany Colbert, Viney Stephenson is the wife of the siad David Stephenson, and Elwood, Stella, Flora, Lorata, Sam, Fleet, and Simpson are their children;

That Ellen Williams is a granddaughter of the said Lany Colbert, Joe Williams is the husband of the said Ellen Williams; and Wellington Ama, Nezer, Palina, Iretta, Mattie, and Irena are their children;

That all named parties are residents of the Chickasaw Nation that affidavits are submitted herewith as proof of the facts abov* set forth.

Wherefore your applicants pray that the, be enrolled.

Noble Richardson

John Kindrick

Marcus Hamilton

Subscribed and sworn to before me this 7th. day of September 1896.

J. M. Dorchester

Notary Public in and for t e Southern Jud cial District o the Indian Territory.

United States of America :
The Indian Territory : sct.
Southern Judicial District :

I, Mobile Richard, do solemnly swear that I sent by registered mail to the Principal Chief of the Chickasaw Nation a true and complete copy of the papers hereto attached on the 29th. day of August 1896 from Elmore P. O. to Tishomingo P. O. The registration receipt is pas

REGISTRY RECEIPT.

Post Office at Elmore Ind Ter
Registered Letter / Parcel } No. 12 Rec'd Aug 29, 1896
of Mobile Richardson
One Letter
addressed to Governor Chickasaw Nation
Tishomingo I.T.
J. N. Black, P. M.

Mobile Richardson

Subscribed and sworn to before me this 7th. day of September 1896.

J M Dorchester

Notary Public in and for the Southern

Judicial District of the Indian Territory.

No. 9996

2 21

Ex Parte
Laney Colbert
et al

Application for Enrolment as Citizens of the Chickasaw Nation.

Before Com. to Five Tribes

Filed 8/9/1894

H. M. Jamison
Secy

All the Claimants re-
fused

Filed by
H. W. Palmer
Pauls Valley I.T.

"A"

Chickasaw Nation
Indian Terr.
3d Judicial Dist. } On this 18th day of August 1893, personally appeared before me a Notary Public in and for the 3d Judicial division, Chickasaw Nation, Ind. Ter., Mrs Lucy Colbert, who being duly sworn says: That she is married to [illegible] who was examined before a Commissioner to Five Civilized Tribes on this occasion and duly sworn, and that she is a Chickasaw Freedman by blood, that she is the daughter of [illegible] who was on the 25th day of [illegible] 1866 a citizen by blood of the Chickasaw Nation, that she was born in the year 1866 in Pickens County, Ind. Ter., that she is now over the age of twenty-one years, that she has never received any money or other consideration from the United States or any person for her enrollment as a Chickasaw Freedman by blood, that she is the same person who was examined before a Commissioner to the Five Civilized Tribes on the 25th day of July 1893 and that she is the same person who made the affidavit hereto attached.

her
Lucy X Colbert
mark

Mobile Richardson
Witness

Subscribed and sworn to before me this 18th day of August 1893

David Williamson
Notary Public.

3rd Judicial Division
of Indian Territory
Chickasaw Nation
County of Pickens
Elmore P. O.

} Affidavit

Personally appeared before me a Notary Public, Mobile Richardson after being duly Sworn by me Deposes and says

My name is Mobile Richardson I am about 35 years old, I was borned at Pitchanunga I.T. My Father and Mother's names were Abney and Eloa Richardson. My mother was a Daughter of the old Lady Lang Stephenson, my Grand Mother. Lang Stephenson is a Daughter of James Colbert. Who was a full Blood Chickasaw Indian. Thus making my Grand Mother. Lang Stephenson a half Breed Chickasaw, my Mother was her Daughter. making her a Quarter Breed. Thus making me One Eight Chickasaw Indian. my wife's name is Laura, We have two children named, Amanda, and Robert Richardson This Statement is from my own personal Knowledge, I am not aided or prompted or dictated by any written Statement nor by any Person Witness my hand and seal This 28 day of Aug A.D. 1896

Witness
John Hendrick
King L. Chapman

Mobile Richardson

Subscribed and Sworn to before me a Notary Public. This 28 day of Aug 1896

COMMISSION EXPIRES APRIL 24TH 1898.

Jasper N. Black
Notary Public. 3rd Jud. Ter.

3rd Judicial Division
of Ind. Ter.
Chickasaw Nation
County of Pickens
Elmore P. O.

Affidavit
6

Personally appeared before me a Notary Public, Robert Ferris after being duly sworn Deposes and says

My name is Robert Ferris I am about 40 years old my mothers name were Elsa Stephenson before she was married to my Father (Ferris) She was also a Daughter of the old lady Lany Stephenson who was a half Breed Chickasaw Indian, making my mother a quarter Breed Chickasaw This making me a Eight Breed Chickasaw, My Children is a 16th part Chickasaw, This names are as follows Cora, Henry, Williams, Cecil, Mannie Virginia, Joe, Hettie, Harley, My wife's name is Jinnie She was a freedman owned by a Choctaw Indian by the name of Jessie Tines
This Statement is from my own Personal Knowledge I am not aided nor prompted nor dictated by any written Statement nor any person
witness my hand and seal This 28 of Aug 1896

Witness
Mobile Richardson
W ~~m~~ Newby

his
Robert + Ferris
mark

Subscribed and Sworn to before me a Notary Public This 28 day of Aug A. D. 1896
Jasper N. Black

COMMISSION EXPIRES
APRIL 24TH 1899

3rd Judicial Division
of Ind Ter.
Chickasaw Nation
County of Pickens
Elmore P.O.

Affidavit

Personally appeared before me a Notary Public, John Kindrick after being duly sworn Deposes and says

My wife name was Mary ~~Colbert~~ Shields before we were married. She is a Daughter of Diner ~~Williams~~ Shields. And her ~~F~~ Fathers name was William Shields, he was a freedman owned by John Smallwood a Choctaw Indian. My wife's mother was a Daughter of the old Lady Lany Stephenson. She Lany Stephenson was a Daughter of James Colbert Who was a full Blood Chickasaw Indian, Thus making Lany [redacted] Stephenson a half Breed Chickasaw & Diner Shields a Quarter Breed And my wife one Eighth And my three Children Rose, Diner, Timney Kindrick which are One 16th Chickasaw. This Statement is from own personal knowledge, I am not aided nor prompted nor dictated by any written Statement nor by any person

Witness my hand And seal This 28 day of Aug A.D. 1896

John Kindrick

Witness
Mobile Richardson
W m Wemby

Subscribed And Sworn to before me a Notary Public This 28 day of Aug A D 1896
Witness my hand And seal as such Notary Public

Jasper N Black

3rd Judicial Division
of Indian Territory
Chickasaw Nation
County of Pickens
Ehmore P.O.

Affidafit

Personally appeared before me
a Notary Public, Marcus Hamilton after
being duly Sworn deposeth and says.

My Name is Marcus Hamilton I am 45
yeers old. I am a Son of Peter Hamilton and
Louisa Hamilton the are my Father and mother. My mother
is a Daughter of the old Lady Lany Stephenson
who's maiden name was Lany Colbert, She Lany
Stephenson my Grand mother, is a Daughter of
James Colbert. said James Colbert was a full
Blood Chickasaw Indian, thus making my Grand
mother Lany Stephenson a half Breed Chickasaw
Indian, my mother a Quarter Breed. and making
me one Eight Breed my wifes name is Barbey Hamilton
I have raised Seven Children by my wife. Barbey H.
named as follows Willie, Mollie, Alice, Lydia,
Laura, Arthur, Dewitte. (Hamilton)
This Statement is from my own personal Knowledge
I am not Aided or prompted or dictated by any
written Statement or any any person
witness my hand and Seal this 28 day of Aug 1896
witness
W. M. Newby
Mobile Richardson

his
Marcus + Hamilton
mark

Subscribed and Sworn to before me a Notary
Public This 28 day of Aug A D 1896
Jasper N Black
Notary Public

COMMISS
APRIL 24TH 1900

3rd Judicial Dewision
of Ind Ter
Chickasaw Nation
County of Pikens
Elmore P.O

Affidafe'el

Personally appeared
before me a Notary Public Dabiel Stephenson
after being duly Sworn Deposes and says

I am a Son of Mobile & Lany Stephenson
my mother Lany Stephenson is a Daughter of
James Colbert who was a full Blood
Chickasaw Indian, my Father was a Slave
owned by James Colbert Thus making my
mother Lany Colbert or Stephenson a half Breed
Chickasaw Indian & my self her Son a quarter
Breed. And my Seven Children, Edward, Stella
Flora, Lorela, Sam, Flet & Simpson Stephenson
which makes them one Eight Chickasaw
These facts are from my own personal knowledge
I am not aided nor prompted nor dictated
by any written Statement nor any person
Witness my hand and Seal this 28 of Aug 1896
Witness

his
David + Stephenson
mark

Wm Wemby
Mobile Richardson

Subscribed and Sworn to before me a
Notary Public this 28 day of Aug 1896

COMMISSION EXPIRES
APRIL 25TH 1899

Jasper N. Black
Notary Public

3rd Judicial Division
of Indian Territory
Chickasaw Nation
Caurtly of Pickens
Elmore P. O.

Affidafick

Personally appeared before me a Notary Public Joe Williams, after being duly sworn by me Deposeth and says

I am the Lawful husband by marriage of Ellen Hamilton who is my wife Ellen Williams, Who is the Daughter of Peter Hamilton and wife Lon Hamilton said Lon Hamilton wife of Peter Hamilton is a Daughter of the old Lady Lany Stepheson Who is a half Breed Chickasaw Indian By Blood making my wife One eight Breed Chickasaw Indian I have seven Children Willie Lon Anna, Nezer, Olivia, Hetta, Nellie, Irma, The old Lady Lany Stepheson my wifi's Grend Mother's Maiden name was Lany Colbert a Daughter of James Colbert who was a full Blood Chickasaw Indian by Blood, This Statement is from my own personal Knowledge. I was not aided or Prompted or dictated by any written Statement or by any person Witness my hand and seal This 28 day of Aug A D 1896

Witness
R. J. Nevins
W A Franklin

his
Joe + Williams
mark

Subscribed and sworn to before me a Notary Public This 28 day of Aug A D 1896

Jasper N. Black
Notary Public 3rd Judicial Dist. Ind. Ter.

COMMISSION EXPIRES APRIL 24TH 1899.

COLLECTING AGENCY.

AGENCY FOR NEWSPAPERS AND MAGAZINES.

M. F. MYERS,

Postmaster and Notary Public.

Davis, Indian Ter., 189

Ind Ter.
3rd Jud Div } Be it known That on this
the 29 day of Aug 1893
personally appeared before me a Notary
Public for the above named Ind. Div.
in the Ind Ter. Mrs Rhoda Harrell a
resident of the Chickasaw Nation 82 yrs old
and a Choctaw Indian by blood, after
being sworn by me deposeth & says That she
knew Fanny Colbert the father of Lucy
Colbert & knew him to be a full blood
Chickasaw Indian. The affiant further
testifies That she has known Fanny Colbert
for 60 years & That she was all that time
considered an Indian entitled to the
right of an Indian. The affiant makes this
sworn statment from her personal
acquaintance with Fanny Colbert and
her father Fanny.
The affiant says her Post Office
is Davis Chickasaw Nation Ind. Ter.

Rhoda X Harrell
her mark

Witnesses
James Dunaway
Mobil Richardson

Subscribed & sworn to
before me This Aug 29/893
M. F. Myers
Notary Public
3rd Jud Div I.T.

Davis I.T. 8/29-93

Indian Territory
Chickasaw Nation
County of Pickens

Affidavit

Personally appeared before me a Notary Public, Lany Stephenson, formaly Lany Colbert, after being duly Sworn by me Deposeth and Says

My name is Lany Stephenson, formaly Lany Colbert, I am about One hundred years old, I was lawfully married to Mobile Stephenson at Chillicothe in the State of Missouri, My Father was a full Blood Chickasaw Indian I came to this country with the Chickasaw Indians when they come here, My mother was a Slave, owned by my Father named Colbert, I raised Fifteen Children by my husband Mobile Stephenson, and are named as follows Elsa, Gaddis, Louisa, Banks, Dick, Louis, Cornelio, Sarah, Elmira, Diner, Bob, Joe, Jud, David, and one Infant Deceased, There is Nine of my Children out of the above named who lived to be grown and raised families that are Dead, Who are as follows, Gaddis, Banks, Louisa, Cornelio, Sarah, Bob, Diner, Louis, Jud, Which their Children are Entitled to Citizen Ship also, This evidence is from my own personal Knowledge, I am not Aided or prompted or dictated by any written Statement or by any person witness my hand and Seal this Aug 27 A D 1896

her
Lany + Stephenson
mark

witness
John Kindrick
King L. Chapman

Subscribed and Sworn to before me a Notary Public
This the 27 day of Aug A. D. 1896

Jasper M Black
Notary Public. 3rd Judicial Div. Ind. Ter.

COMMISSION EXPIRES
APRIL 24TH 1898

"A."

Richardson-Francis

Mobile Richardson

Sworn and subscribed before
me this 18th day of December 1875

Daniel Williams
Notary Public.

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Laney Stepheson et al for
Enrollment in the Chickasaw
Nation.

--: A N S W E R :--

Filed Oct 29. 1896.
H M Greenway
Secy

TO THE HONORABLE DAWES COMMISSION:

Ex Parte Laura Stephenson et al

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E, It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation, says that the application is not sufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges of a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

Impossible for us to tell who is applying there are eight applicants of parties claiming through Laura Stephenson and no application filed.

Chickasaw Nation

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Laney Stepheson etal

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First--That the laws of the Chickasaw Nation forbid the marriage of a Chickasaw by blood and a negro, or descendant of a negro; that when such marriages were had, if they were ever had, they were in violation of the laws and constitutions of the Chickasaw Nation; and, therefore, no rights of any sort in the Chickasaw Nation, could have been conferred by such marriage upon any person, or which could have been, by the issue of such marriage, conferred upon other and different persons.

W H E R E F O R E , The Chickasaw Nation says that none of the applicants herein are citizens of the Chickasaw Nation, and prays that the application herein be dismissed; and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application for Enrollment in the Chickasaw Nation of

-----o-----

Indian Territory,)
) ss.
Chickasaw Nation.)

--: Affidavit of H. F. Murray :--

Before me, the undersigned authority, on this day personally appeared H. F. Murray, who, being first sworn, deposes and says: My name is H. F. Murray; I am 77 years of age, and have resided in the Indian Territory ever since 1854, and have been in the Chickasaw Nation since 1870; I am a practicing lawyer in the Indian Courts; I have been attorney-general of the Chickasaw Nation; District Judge, County Judge; Delegate to Washington in the interest of the Chickasaws, and have been intimately acquainted with the affairs of the Nation for the past 26 years; I was well acquainted with Laney Stepheson, through whom the appliwants claim; she was a slave owned by James Colbert, who set her free when she was quite young; her husband's name was Mobile, and he was a negro slave who belonged to [illegible] Susan Colbert, the grandmother of my wife; and said Susan Colbert was the widow of James Colbert; if these applicants claim through Laney Stepheson, they are all negroes, or bastards; Laney Stepheson was not a Chickasaw; neither was her husband; they were both negroes, as stated above. Laney and all of her descendants were from [illegible]

H. F. Murray

Subscribed and sworn to before me on this the 26th day of October, A. D., 1896.

[illegible] Lucas

Notary Public.

Third Judicial Division of Indian Territory,)
)
-----o-----) --: AFFIDAVIT :--
)
Chickasaw Nation, County of Pickens.)

Personally appeared before me, a Notary Public, Laney Stepheson, formerly Laney Colbert, after being duly sworn by me deposeth and says:

My name is Laney Stepheson, formerly Laney Colbert; I am about one hundred years old; I was lawfully married to Mobile Stepheson at Chillihowa, Miss.; my father was a full blood Chickasaw Indian; I came to this country with the Chickasaw Indians, when they came here; my mother was a slave, owned by my father, James Colbert; I raised fifteen children by my husband, Mobile Stepheson, and are named as follows: Wisa, Caddis, Lewis, Anka, Dick, Louis, Cornelia, Sarah, Laura, Diner, Bob, Joe, Dud, David and one infant, deceased; there is nine of my children out of the above named, who lived to be grown and raised families, that are dead who are as follows: Caddis, Hanka, Louisa, Cornelia, Sarah, Bob, Diner, Louis, Dud, which their children are entitled to citizenship also. This evidence is from my own personal knowledge. I am not dictated or prompted or aided by any written statement or by any person.

Witness my hand and seal this 27 day Aug., A. D., 1896.

her
LANEY mark STEPHENSON.
mark

Witness:
John Kendrick,
King L. Chapman.

Subscribed and sworn to before me a Notary Public, as witness my hand and seal this 27 day of Aug., A. D., 1896.

JASPER W. SLACK.

-----o-----

Indian Territory,)
) ss.
Chickasaw Nation.)

This is to certify that I have examined the above and compared the same with the original affidavit, and know that the transcript above is a true and correct copy of the original.

Given under my hand and seal this the 13 day of October, A.D., 1896.

Notary Public, in and for the Southern District of the Indian Territory.

--: Affidavit of Laney Stepheson :--

In Re the Citizenship Claim of Dale Hamilton et al.

3rd Judicial Division of the Indian Territory)
)
Chickasaw Nation. County of Pickens.)

Personally appeared before me, a Notary Public, Laney Stepheson formerlyLaney Colbert, after being duly sworn by me deposeth and says: My name is Laney Stepheson, formerly Laney Colbert; I am about one hundred years old; I was lawfully married to Mobile Stepheson, at Chillihoma, in the state of Mississippi; my father was a full-blood Chickasaw Indian; I came to this country with the Chickasaw Indians when they came here; my mother was a slave, owned by my father, James Colbert; I raised 15 children by my husband, Mobile Stepehson, and are named as follows: Elsa, Gaddis, Louisa, Banks, Dick, Lanis, Cornelis, Sarah, Elmira, Diner, Bob, Joe, Dud, David and one infant, deceased; there is nine of my children, out of the above names, who lived to be grown and raised families, that are dead, who are as follows: Gaddis, Banks, Louisa, Cornelis, Sarah, Bob, Diner, Louis, Dud, which their children are entitled to citizenship; also this evidence is from my own personal knowledge; I am not aided or prompted, or dictated by any written statement, or by any person.

Witness my hand and seal this Aug. 27, A. D., 1896.

Witness
John Hamilton
Young Chapman

(Signed) her
Laney X Stepheson.
mark

-----o-----

Subscribed and sworn to before me a Notary Public This Aug 27, 1896
(Signed) Jasper A Black.

Indian Territory,)
)
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared Richard McLish, who, being duly sworn, deposes and says: I have read the foregoing, and know it to be a true and correct copy of the original. On Monday, Oct. 19, 1896, a negro, named Mobile Richardson, offered this affidavit in support of his claim to be registered as a citizen, and said that he was the son of Elsa, claimed by Laney Stepheson to have been her daughter ; I took a copy of the affidavit, and this certified copy is submitted in the above case, to show the negro blood of the applicants.

Richard McLish

Subscribed and sworn to before me this
20th day of October, A. D., 1896. W. H. Adams N. P.

--: Affidavit of Laney Stepheson :--

In Re the Citizenship Claim of Thomas Stephenson et al.

3rd Judicial Division of the Indian Territory)
)
Chickasaw Nation. County of Pickens.)

Personally appeared before me, a Notary Public, Laney Stepheson formerlyLaney Colbert, after being duly sworn by me deposeth and says: My name is Laney Stepheson, formerly Laney Colbert; I am about one hundred years old; I was lawfully married to Mobile Stepheson, at Chillihoma, in the state of Mississippi; my father was a full-blood Chickasaw Indian; I came to this country with the Chickasaw Indians when they came here; my mother was a slave, owned by my father, James Colbert; I raised 15 children by my husband, Mobile Stepehson, and are named as follows: Elsa, Gaddis, Louisa, Banks, Dick, Lanis, Cornelis, Sarah, Elmira, Diner, Bob, Joe, Dud, David and one infant, deceased; there is nine of my children, out of the above names, who lived to be grown and raised families, that are dead, who are as follows: Gaddis, Banks, Louisa, Cornelis, Sarah, Bob, Diner, Louis, Dud, which their children are entitled to citizenship; also this evidence is from my own personal knowledge; I am not aided or prompted, or dictated by any written statement, or by any person.

Witness my hand and seal this Aug. 27, A. D., 1896.

Witness
John Kimbrick
Wm L. Chapman

(Signed) her
Laney X Stepheson.
mark

-----o-----

Indian Territory,)
)
Chickasaw Nation.)

Subscribed and sworn to before me, a Notary Public, this 27 Aug 96.
(Signed) Jasper N. Brock

Before me, the undersigned authority, on this day personally appeared Richard McLish, who, being duly sworn, deposes and says: I have read the foregoing, and know it to be a true and correct copy of the original. On Monday, Oct. 19, 1896, a negro, named Mobile Richardson, offered this affidavit in support of his claim to be registered as a citizen, and said that he was the son of Elsa, claimed by Laney Stepheson to have been her daughter ; I took a copy of the affidavit, and this certified copy is submitted in the above case, to show the negro blood of the applicants.

Richard McLish

Subscribed and sworn to before me this
20th day of October, A. D., 1896. W. H. Adams N. P.

--: Affidavit of Laney Stepheson :--

In Re the Citizenship Claim of Winchester Colbert Et. al.

3rd Judicial Division of the Indian Territory)
)
Chickasaw Nation. County of Pickens.)

Personally appeared before me, a Notary Public, Laney Stepheson formerlyLaney Colbert, after being duly sworn by me deposeth and says: My name is Laney Stepheson, formerly Laney Colbert; I am about one hundred years old; I was lawfully married to Mobile Stepheson, at Chillihoma, in the state of Mississippi; my father was a full-blood Chickasaw Indian; I came to this country with the Chickasaw Indians when they came here; my mother was a slave, owned by my father, James Colbert; I raised 15 children by my husband, Mobile Stepehson, and are named as follows: Elsa, Gaddis, Louisa, Banks, Dick, Lanis, Cornelis, Sarah, Elmira, Diner, Bob, Joe, Dud, David and one infant, deceased; there is nine of my children, out of the above names, who lived to be grown and raised families, that are dead, who are as follows: Gaddis, Banks, Louisa, Cornelis, Sarah Bob, Diner, Louis, Dud, which their children are entitled to citizenship; also this evidence is from my own personal knowledge; I am not aided or prompted, or dictated by any written statement, or by any person.

Witness my hand and seal this Aug. 27, A. D., 1896.

Witness
Celia Harris Colbert
Mary L Chapman

(Signed) her
Laney X Stepheson.
mark

-----o-----

Subscribed and sworn to before me this Aug. 27 th 96.
A Notary Public
Signed Jasper A Brashears

Indian Territory,)
)
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared Richard McLish, who, being duly sworn, deposes and says: I have read the foregoing, and knew it to be a true and correct copy of the original. On Monday, Oct. 19, 1896, a negro, named Mobile Richardson, offered this affidavit in support of his claim to be registered as a citizen, and said that he was the son of Elsa, claimed by Laney Stepheson to have been her daughter ; I took a copy of the affidavit, and this certified copy is submitted in the above case, to show the negro blood of the applicants.

Richard McLish

Subscribed and sworn to before me this
20th day of October, A. D., 1896. W. K Adams N. P.

--: Affidavit of Laney Stepheson :--

In Re the Citizenship Claim of Georgie Ann Stephenson

3rd Judicial Division of the Indian Territory)
)
Chickasaw Nation. County of Pickens.)

Personally appeared before me, a Notary Public, Laney Stepheson formerlyLaney Colbert, after being duly sworn by me deposeth and says: My name is Laney Stepheson, formerly Laney Colbert; I am about one hundred years old; I was lawfully married to Mobile Stepheson, at Chillihoma, in the state of Mississippi; my father was a full-blood Chickasaw Indian; I came to this country with the Chickasaw Indians when they came here; my mother was a slave, owned by my father, James Colbert; I raised 15 children by my husband, Mobile Stepheson, and are named as follows: Elsa, Caddis, Louisa, Banks, Dick, Lanis, Cornelis, Sarah, Elmira, Diner, Bob, Joe, Dud, David and one infant, deceased; there is nine of my children, out of the above names, who lived to be grown and raised families, that are dead, who are as follows: Caddis, Banks, Louisa, Cornelis, Sarah Bob, Diner, Louis, Dud, which their children are entitled to citizenship; also this evidence is from my own personal knowledge; I am not aided or prompted, or dictated by any written statement, or by any person.

Witness my hand and seal this Aug. 27, A. D., 1896.

(Signed) her
Laney X Stepheson.
mark

-----o-----

Witness
John Kimbrough
Wm L. Thompson

Subscribed and sworn to before me, a Notary Public, this Aug 27, 1896
(Signed) Jasper [illegible]

Indian Territory,)
)
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared Richard McLish, who, being duly sworn, deposes and says: I have read the foregoing, and knew it to be a true and correct copy of the original. On Monday, Oct. 19, 1896, a negro, named Mobile Richardson, offered this affidavit in support of his claim to be registered as a citizen, and said that he was the son of Elsa, claimed by Laney Stepheson to have been her daughter ; I took a copy of the affidavit, and this certified copy is submitted in the above case, to show the negro blood of the applicants.

Richard McLish

Subscribed and sworn to before me this
20th day of October, A. D., 1896. W. K. Adams N. P.

No. 241...

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Robert Farris et al for
Enrollment in the Chickasaw Nation.

--: DEMURRER AND ANSWER :--

Filed Oct 29. 1896.
Tom Jocoway
Clerk

To the Honorable Dawes Commission

Ex Parte Jakah Harris et al

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is indufficient in law.

WHEREFORE, It prays that the said application be dismissed.

Second--For special exception the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third.-- For further special exception the Chickasaw Nation say that the application herein is not sufficient in that it shows that the applicant has not complied with the laws of the said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

Lee Cruce in Lacey Stephenson

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

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In the Matter of the Application of Robert Farris et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any objection heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First--That the laws of the Chickasaw Nation forbid the intermarriage of a Chickasaw Indian by blood with any negro.

Second--That the laws of the Chickasaw Nation have never adopted any of its freedmen; but refused to accept that condition of the Treaty which stipulated that they should have two years and ninety days in which to adopt the said Freedmen; all of which appears by the various Acts of the Legislature of the Chickasaw Nation, and which will hereafter be submitted as exhibits in these cases.

Third--That the Chickasaw Nation is not advised whether or not the applicants herein are Chickasaw Freedmen; but says that it has a roll of all the original slaves owned by the Chickasaws at the date of the Emancipation, which it can furnish to this Honorable Commission, if it should be held that the said Freedmen are entitled to any rights, privileges and immunities in the Chickasaw Nation, mentioned in said Treaty--which is not conceded by the Chickasaw Nation, but is especially denied.

Fourth--The Chickasaw Nation says that no rights could have been conferred, (if any rights were had), by the Chickasaw Freedmen, by intermarriage, upon another and different person, or the descendants thereof.

WHEREFORE, The Chickasaw Nation prays that the application herein, together with those of all other Freedmen, be dismissed and rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application for Enrollment in the Chickasaw Nation of

---

Indian Territory,)
Chickasaw Nation.) ss. --: Affidavit of H. P. Murray :--

Before me, the undersigned authority, on this day personally appeared H. P. Murray, who, being first sworn, deposes and says: My name is H. P. Murray; I am 77 years of age, and have resided in the Indian Territory ever since 1854, and have been in the Chickasaw Nation since 1870; I am a practicing lawyer in the Indian Courts; I have been attorney-general of the Chickasaw Nation; District Attorney, County Judge; Delegate to Washington in the interest of the Chickasaws, and have been intimately acquainted with the affairs of the Nation for the past 40 years; I was well acquainted with Laney Stephenson, through whom the applicants claim; she was a slave owned by James Colbert, who got her from when she was quite young; her husband's name was Pebble, and he was a negro slave who belonged to Aggertie Susan Colbert, the grandmother of my wife; and said Susan Colbert was the widow of James Colbert; if these applicants claim through Laney Stephenson, they are all negroes, or bastards; Laney Stephenson was not a Chickasaw; neither was her husband; they were both negroes, as stated above. Laney and all of her descendants were free negroes, and were not even Chickasaw slaves at the time of the Emancipation

H. P. Murray

Subscribed and sworn to before me on this the 26th day of October, A. D., 1896.

W. H. Leard

Notary Public.

Third Judicial Division of Indian Territory,)
)
-----o-----) --: AFFIDAVIT :--
)
Chickasaw Nation, County of Pickens.)

Personally appeared before me, a Notary Public, Laney Stepheson, formerly Laney Colbert, after being duly sworn by me deposeth and says:

My name is Laney Stepheson, formerly Laney Colbert; I am about one hundred years old; I was lawfully married to Mobile Stepheson at Chillinoma, Miss.; my father was a full blood Chickasaw Indian; I came to this country with the Chickasaw Indians, when they came here; my mother was a slave, owned by my father, James Colbert; I raised fifteen children by my husband, Mobile Stepheson, and are named as follows: Elsa, Gaddis, Louisa, Banks, Dick, Louis, Cornelia, Sarah, Elmira, Diner, Bob, Joe, Dud, David and one infant, deceased; there is nine of my children out of the above named, who lived to be grown and raised families, that are dead, who are as follows: Gaddis, Banks, Louisa, Cornelia, Sarah, Bob, Diner, Louis, Dud, which their children are tentitled to citizenship also. This evidence is from my own personal knowledge. I am not dictated or prompted or aided by any written statemsnt or by any person.

Witness my hand and seal this 27 day Aug., A. D., 1896.

her
LANEY ~~MARK~~ STEPHENSON.
mark

Witness:
John Kendrick,
King L. Chapman.

Subscribed and sworn to before me a Notary Public, as witness my hand and seal this 27 day of Aug., A. D., 1896.

JASPER N. BLACK.

-----o-----

Indian Territory,)
) ss.
Chickasaw Nation.)

This is to certify that I have examined the above and compared the same with the original affidavit, and know that the transcript above is a true and correct copy of the original.

Given under my hand and seal this the ___ day of October, A.D., 1896.

Notary Public, in and for the Southern District of the Indian Territory.

End

1896 chic 242

Elizabeth J. Conaway

To Statement

Ernest Chickasaw Native I.T.
I, Elizabeth Jane Conaway, make
the following statement under
oath, upon which I base my
claim to citizenship in the Chick-
asaw Tribe of Indians.
I am about fifty (52) two years
of age. I live near Ernest Chick-
asaw Na. Ind. Ter. I was born at
Deloniga, Lumpkin Co. Ga. My
Father's name was Hardie Ingram
Perkins. He was born in Pontiac
Co. Miss. in about the year 1807.
He married Catharine Doss in
Alabama in the year 1828.
Three children by that marriage
are now living, viz: Sarah Perkins
(now Acorn) and Joseph Perkins
and your petitioner Elizabeth
Jane Conaway.
My father Hardie
Perkins, was a Chickasaw
Indian by blood (half breed)
He was always recognized by
the authorities of the Chickasaw
Nation and never had to pay for
a permit to live in the Nation.
I was married to Thomas P. Allan

in the year 1869. By this
marriage I had four children
two of whom are now living,
viz: William Lamar Allan, age
thirty (30) yrs, and Joseph A.
Allan age (29) ~~twenty~~ years: both
of whom are Chickasaw Indians
and entitled to all of the rights
and privileges of the same.
My last husbands name was
Jackson Conaway, a full
blood Chickasaw Indian.
He died the 5th day of Aug. 1896.
I made application to be
admitted to citizenship and
placed my claim in the
hands of D.W. Carter, who died
and the papers could never
be found. I submit the
proof of my claim to your
Honorable Body, and ask
that my two sons be
admitted to all of the rights
and privileges of citizenship in
the Chickasaw Nation I.T.

Elizabeth Jane Conaway

the American name of
Elizabeth Jane Conaway

Subscribed and sworn to before
me this the 17 day of Aug A.D. 1896
R. L. French
Notary Public
My official term expires Nov 16-1898

Affidavit of
Isaac Williams

Pickens County
Chickasaw Nation Indian Territory

Isaac Williams on oath
state that he is a Chickasaw
freedman that he was born
in Pontotoc County Mississ-
ippi near town of
Perkins Mc Gee, a ~~member~~
of the Chickasaw Tribe of
Indians. — Luther Tecumseh
Perkins, Hardin J.
Perkins son of William
Perkins — Jennie Lou D
be a member of the Chick-
asaw Tribe of Indians
by blood — Hardin J. Perkins
(mother was a Chickasaw
Indian) her maiden name
was Jennie Mc Gee. — —
Jennie Mc Gee, was the
daughter of Tom Mc Gee,
a Chickasaw Indian,
who was Eighty three years old
on last Christmas day. —
Hardin J. Perkins ~~was~~ about
my age. his Isaac x Williams,
mark
Subscribed and sworn to before
me this the 26th day of June
A. D. 1893.

R. Stewart Bennett
Notary Public 3rd Judicial Dist.
Ind. Ter.

George G. Perkins

Affidavit

Emmet Ind. Ter. Chickasaw Nation.

I George G. Perkins under oath state that I am twenty 27 ~~seven~~ nine years of age; am a Choctaw and Chickasaw Indian by blood. My Father's name was David Perkins. He was a Choctaw Indian; he was born in Mississippi and came to this Country when he was about thirty seven years of age, and lived here until his death, which occured in 1888.

I have heard my father speak often of Hardy Perkins as being his first Cousin by blood. and have heard him say that Hardy Perkins was a half blood Chickasaw Indian by blood.

I have made this affidavit without fear or favor.

This Aug. 14th 1896

G. G. Perkins

Subscribed and sworn to before me
This the 14th day of aug 1896

R. F. French
Notary Public

Nicholas Appalis

Affidavit

This day came Nicholas Apsaler
before me, a Notary Public for the
3rd Judicial Division, and after
being sworn by me, deposes as
follows. I am twenty (20) five
years of age. My post office is
Hulson Chickasaw Nation Ind. Ter.
I am personally acquainted with
Elizabeth J. Conaway and her
two (2) sons, William Allan, and
Joseph Allan who are children
by her first husband. I knew
Elizabeth J. Conaway's father, his
name was Hardy Perkins, he
was known as a Chickasaw
Indian; he died about twelve (12)
or thirteen (13) years ago. I am
a full blood Chickasaw Indian
and have made this affidavit
without fear or favor.

his
Nicholas x Apsaler
mark

Subscribed and sworn to before
me this 28th day of July 1890

R. O. French
Notary Public

My term of office expires Nov 16 1898

Joseph A. Allan

2033 Affidavit

Chickasaw Nation Ind. Ter.
Third Judicial Division

I, Joseph H. Allen being under
oath say that I am thirty (30)
years of age; my post office is
Fulsom Chickasaw Na. I. T.
occupation a farmer. My mothers
maiden name was Elizabeth
Jane Perkins. My fathers
name was Thomas P. Allen.
My grandfather, (my mothers
father) was Hardie Perkins.
I remember my grandfather
and I have often heard him
say that he was a Chickasaw
Indian by blood. He has been
dead about 12 or thirteen
years. I have lived in the
Chickasaw Na. Ind. Ter. since
1874. My mother (now Elizabeth
Conaway) was married to
Jackson Conaway a full
blood Chickasaw Indian at
Emich Ind. Ter. in the Fall of 1896.
I was present at the marriage.

Joseph. H. Allen

Sworn and subscribed to
before me. This 19th day of Aug

1896.

R. F. French
Notary Public
My term of office expires
Nov 16, 1898

Joseph A. Allen
vs
Affidavit

R. F. French

Affidavit

I, R. F. French do solemnly swear
that on the 26 day of Aug. 1896
I saw a package registered at the
post office at Ernest Ind. Ter. and
addressed to Gov. Moseley, Gov.
of the Chickasaw Nation Ind Ter.
That registry receipt No. 32 received
from postmaster Curtis attached, is
a receipt for said package which
contained true copies of the
application of Elizabeth J. Conaway
and of the affidavits of Mary Jane
Melton, Nicholas Apostalers, Joseph
H. Allan, and George Perkins and
Isaac Williams in support
of same. R. F. French
Subscribed and sworn to before
me on this the 8th day of Sept 1896

J. T. Gardner

my Official Term expires 24 day of Jan A.D. 1900 N. P.

#1049

Mary Jane Melton's
Affidavit

Elizabeth J. Conway
vs
Chickasaw Nation
Filed Sep 5th 1896
A. S. McKennon
Comm

Denied

Vs
Ernest et al

Chickasaw Nation Ind. Ter.
Third Judicial Division.

This day came before me, a Notary Public for the Third Judicial Division Mary Jane Melton to me personally well known, and after being duly sworn deposes and says: I am about forty (46) six years of age. a Chickasaw Indian by blood. My post Office is Emet Ind. Ter. My maiden name was Mary Jane Johnson. I have been twice married my first husband's name was Leroy Turnbull: My present husband's name is G.A. Melton. I was well acquainted with Hardy Perkins. he often visited Old Mrs Turnbull who was a near relation of his. I know that Hardy Perkins was a Chickasaw Indian by blood. I am well acquainted with Elizabeth Conaway who is a daughter of Hardy Perkins. I also know her two sons William Allan and Joseph Allan: who are children by her first husband.
I have made this statement with out fear or favor. her Mary x Jane Melton
mark

Subscribed and sworn to before me
this the 28th day of July 1896
R. F. French
Notary Public
My term of office expires Nov 16-1898

#1049
Mary Jane Medkiss
Affidavit
Edmund J. Connors
100
Chicopee and Holyoke
Filed Sept 5th 1896
N.J. McClennan
Comr

Dismissed

Ed Connors Esq;

TO THE HONORABLE DAWES COMMISSION :

Ex Parte Elizabeth Emmett

Comes now the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim to citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E , It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that sais application is insufficient in that the same shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION.

By Its Attorneys.

THE CHICKASAW NATION.

By its Attorneys.

A H E R E O F E , if there exist any objection to the granting of the application for a citizen.

A H E R E O F E , if there exist any objection to the granting of the application for a citizen, for the reason that the applicant is not of full Chickasaw blood, and is not entitled to the benefits and privileges of a citizen.

A H E R E O F E , if there exist any objection to the granting of the application for a citizen, for the reason that the applicant is not of full Chickasaw blood, and is not entitled to the benefits and privileges of a citizen, and that the applicant is not a person of good moral character.

A H E R E O F E , if there exist any objection to the granting of the application for a citizen, for the reason that the applicant is not of full Chickasaw blood, and is not entitled to the benefits and privileges of a citizen, and that the applicant is not a person of good moral character, and that the applicant is not a person who will make a good citizen.

A H E R E O F E , if there exist any objection to the granting of the application for a citizen, for the reason that the applicant is not of full Chickasaw blood, and is not entitled to the benefits and privileges of a citizen, and that the applicant is not a person of good moral character, and that the applicant is not a person who will make a good citizen, and that the applicant is not a person who will be a benefit to the Chickasaw Nation.

A H E R E O F E , if there exist any objection to the granting of the application for a citizen, for the reason that the applicant is not of full Chickasaw blood, and is not entitled to the benefits and privileges of a citizen, and that the applicant is not a person of good moral character, and that the applicant is not a person who will make a good citizen, and that the applicant is not a person who will be a benefit to the Chickasaw Nation, and that the applicant is not a person who will be a benefit to the Chickasaw Nation, and that the applicant is not a person who will be a benefit to the Chickasaw Nation

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Elizabeth Jane Conoway et
al for Enrollment in the Chick-
asaw Nation.

))Demurrer and Answer ((

Filed Oct. 29, 1896.
Stryker Clerk
Dep

Citizen by Blood
Date of Marriage

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Elizabeth Anne Carraway

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and respectfully shows to this Honorable Commission that the application filed herein is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights, privileges and immunities as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

Because evidence on approved claim
the Father (illegible) and Mother
is shown by the Dawes Final Roll

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation

of Elizabeth Jane Conway et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and have at all times been, citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the petition of the applicants herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached and asks that they be considered as a part of this answer.

W H E R E F O R E , It prys that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application of Elizabeth Jane Conoway et al for Enrollment in the Chickasaw Nation.

-----o-----

Indian Territory,)
) ss.
Chickasaw Nation.)

--: Affidavit of Peter Maytubby :--

Before me, the undersigned authority, on this day personally appeared Peter Maytubby, who, being first duly sworn, deposes and says: My name is Peter Maytubby; I am a Chickasaw Indian by blood, and am 59 years of age; I came to the Indian Territory from Mississippi with the Chickasaw Indians, in 1837; for the last twenty years I have been census enumerator of the Chickasaws residing in the Choctaw Nation, and I never heard of Hardy Perkins, of any of his descendants, and among them the applicants, claiming to be Chickasaws by blood or otherwise; on the contrary, on the 13th day of October, 1896, Elizabeth Jane Conoway came to me, as census enumerator, and stated that she was a Choctaw by blood, and wanted to register as an intermarried Chickasaw; her husband, Conoway, being a Chickasaw; she claimed she was a Choctaw by blood, and therefore I refused to register her; the McGees testified about by Isaac Williams, and especially Sam McGee, is a Choctaw and never claimed to be a Chickasaw.

Peter Maytubby

Subscribed and sworn to before me on this the 22nd day of October, A. D., 1896.

[illegible]
Notary Public.

Indian Territory,)
) ss. --: Affidavit of Jonas Wolf :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared Jonas Wolf, who, being first duly sworn, deposes and says: My name is Jonas Wolf; I am a Chickasaw Indian by blood, and am 65 years of age; I came to this country from Mississippi with the Chickasaw Indians; I have been Governor of the Chickasaw Nation, and have held other important positions under the Chickasaw Government; I am well acquainted with Isaac Williams, and a negro known as "Squire" Wolf; I have known them for about thirty years; I am also well acquainted with Sam Perry; I am informed that each of these men have made a great many affidavits in support of Claims to citizenship in the Chickasaw Nation; and I state, upon my oath, that each of these men are unworthy of belief; and would, in my opinion, for a small sum of money, make any kind of an affidavit that was written out for them; they are unreliable in every respect, and their general reputation for truth and veracity is notoriously bad.

Jonas Wolf

Subscribed and sworn to before me on this the 22nd day of October, A. D. 1896.

[illegible]
Notary Public.

In the Matter of the Application for Enrollment in the Chickasaw Nation of

-----o-----

Indian Territory,)
) ss.
Chickasaw Nation.)

--: Affidavit of B. F. Kemp :--

Before me, the undersigned authority, on this day personally appeared B. F. Kemp, who, being duly sworn, on oath, deposes and says: My name is B. F. Kemp; I am a Chickasaw Indian by blood, and am 65 years of age; I came to this country from the state of Alabama in the year of 1837; I have been district Judge, County Judge, Senator, Legislator, and have held other important offices under the Chickasaw Government; I am familiar with the Chickasaws by blood and intermarriage; I was raised in Panola County, Chickasaw Nation, about six or seven miles from Island Bayou, and lived there from the year 1849 up to about ten years ago; I am a son of Jackson Kemp, Sr., I know Isaac Williams, J. S. Wolf, known as "Squire" Wolf; Sam Perry, William Simpson, also known as "Sim Casey"; Fred Humphreys, William Fisher, John Kemp, Patsy Hall: all of whom are negroes, with the exception of Sim Casey and Patsy Hall; their general reputation for truth and veracity is notoriously bad; I also know William Arcumby, who is a Chickasaw Indian; from my acquainteance with all of them having dealt with nearly all of them, I believe, through a matter of friendship or a small sum of money, they could be induced to swear to anything.

B F Kemp

Subscribed and sworn to before me on this the 26th day of October, A. D., 1896.

Notary Public.

REGISTRY RECEIPT.

Post Office at [illegible]

Registered Letter / Parcel No. [illegible] Rec'd [illegible] 189[illegible]

of [illegible]

[illegible]

addressed to [illegible]

[illegible]

[illegible] P.M.

REGISTRY RETURN RECEIPT sent [illegible], 189[illegible]

Reg. No. [illegible] from Post Office at [illegible]

*Reg. Letter / Reg. Parcel } Addressed to [illegible]

After obtaining receipt below, the Postmaster will mail this Card, without cover and without postage, to address on the other side.

RECEIVED THE ABOVE DESCRIBED REGISTERED { *LETTER. / PARCEL.

(SENDER'S NAME ON OTHER SIDE.)

Sign on dotted lines to the right.

When delivery is made to other than addressee, the name of both addressee and recipient must appear.

P. S. Mosely

* Erase letter or parcel according to which is sent.

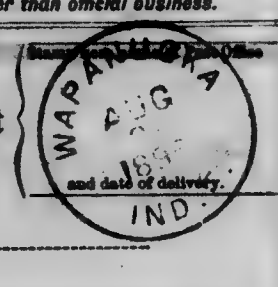
When the registered letter or parcel accompanying this card is delivered, the Postmaster will require signature to the receipt on the other side, also on his record of registered deliveries, and mail this card without cover to address below.

A penalty of $300 is fixed by law for using this card for other than official business.

Post Office Department.

OFFICIAL BUSINESS.

Post Office at



RETURN TO:

Name of Sender G. H. Ellis

Street and Number, or Post Office Box.

Post Office at Canal.

County of C. H. State of O.

End

1896 Chic 243 #1049

Nancy Perkins

Application

of

Judith Perkins

through

Nancy Perkins

AFFIDAVIT OF WITNESS.

STATE OF Texas
COUNTY OF Gothaic } ss.
Dist Clk

BEFORE ME, the undersigned, a ~~Notary~~ Public, in and for the County and State aforesaid, personally appeared W. M. Tallows & W. B. Perkins who after being by me duly sworn states that is ..... years of age, and a citizen of Gothaic ..... County and State of Texas ..... and that they are personally acquainted with Nancy Perkins & Joe Perkins & who is an applicant for citizenship in the Chickasaw ..... Nation, I. T, and affiant further states that the said Nancy & Joe Perkins are is the identical person they represents themselves to be in their application for citizenship in said Nation, and that the said Nancy Perkins ..... is the wife of James Perkins and Joseph Perkins is a son of the said Nancy and James Perkins and James Perkins a son of Jordan Perkins who was known and recognized as having Chickasaw Indian Blood and the appearance and habits indicated it

Affiant further states that they have known the said Nancy & Joseph Perkins for the past 30 & 5 years and knows that they are is and has been recognized and treated by them as neighbors, acquaintances and the public generally as a person having Chickasaw Indian blood; and that the complexion, physical appearance, language and manners of the said Nancy & Joseph indicate that the said Chickasaws are is of Indian blood. That from the above facts and circumstances and from statements made to them by the said Nancy & Joseph Perkins affiant states they has every reason to believe, and does believe that the said Joseph Perkins is of Chickasaw Indian blood.

Affiant further states that I have ..... has no interest whatever in the prosecution of the claim of the said Joseph Perkins ..... to citizenship in the Chickasaw ..... Nation, I, T., ~~and that is not related by blood or marriage to the said~~ W. M. Tallows

W B Perkins

Subscribed and sworn to before me this 11 ..... day of July ..... A. D. 1893.

and I further certify that I am well acquainted with the said W. M. Tallows ..... and know them to be a person of credibility and of truth and veracity.

H C Thompson
Notary Public.

My commission expires on the 3d ..... day of Nov ....., 1893.

OFFICE OF

H. C. THOMPSON,

DISTRICT CLERK GOLIAD COUNTY.

Goliad, Texas, June 29 1893

J P Byers
Ft Smith

Dear Sir

I send you this Application and a fee of $2.00 give it your attention and further proof is necessary send to the undersigned

Yours truly
H C Thompson

H. W. Perkins

AFFIDAVIT OF WITNESS.

STATE OF Texas
COUNTY OF Goliad } ss.

BEFORE ME, the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared W. B. Perkins & G. M. Sullivan who after being by me duly sworn states that is 57 & 65 years of age, and a citizens of Goliad County and State of Texas and that they are personally acquainted with H. W. Perkins who is an applicant for citizenship in the Chickasaw Nation, I. T., and affiant further states that the said H. W. Perkins is the identical person who represents himself to be in his application for citizenship in said Nation, and that the said H. W. Perkins is the son of James Perkins a grand son of Jordan Perkins who was of Chickasaw Indian Blood known and recognized by his people and neighbors as being of Chickasaw Indian Blood by his appearance and speech indicate it.

Affiant further states that he has known the said H. W. Perkins for the past 4 3 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Chickasaw Indian blood; and that the complexion, physical appearance, language and manners of the said H. W. Perkins indicate that the said H. W. Perkins is of Indian blood. That from the above facts and circumstances and from statements made to me by the said H. W. Perkins affiant states they have ~~has~~ every reason to believe, and does believe that the said H. W. Perkins is of Chickasaw Indian blood.

Affiant further states that they has no interest whatever in the prosecution of the claim of the said H. W. Perkins to citizenship in the Chickasaw Nation, I. T., ~~and that is not related by blood or marriage to the said,~~

W. B. Perkins
G. M. Sullivans
his mark

Subscribed and sworn to before me this 29 day of June A. D. 1898

and I further certify that I am well acquainted with the said W. B. Perkins and G. M. Sullivans and know them to be a person of credibility and of truth and veracity.

H. C. Thompson Clerk
Dist Court Goliad Co

My commission expires on the 10 day of Nov 1899

Nancy Perkins
affidavit
of
Joseph Perkins
Through
Nancy Perkins

APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of Chickasaw Nation, Ind. Ter.:

GENTLEMEN:—The undersigned, your petitioner, this day makes this 1st Application for Citizenship in the Chickasaw Nation, in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of this Application to-wit:

That .....is the.....

of one.....who the undersigned fully belies was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this Application for Chickasaw Citizenship by blood, and respectfully awaits the time when Application shall be truly heard and tried. Respectfully submitted.

Age 61 years, Postoffice Papalote Bee County Texas

Family, with their relationship attached, is as follows:

NO.	NAMES.	SEX.	AGE.	RELATIONSHIP.
1	Nancy Perkins	Fm	61	Mother
2	Joseph Perkins	m	28	Son
	Nancy Perkins wife of James Perkins and Joseph Perkins son of James Perkins and Nancy Perkins — James Perkins was son of Jordan Perkins who was of Chickasaw Indian Blood Joseph Perkins Grand Son of Jordan Perkins			

In witness of which Application, I hereunto set my hand, on this the 10 day of July 1893

Joseph Perkins

Subscribed and sworn to before me this 10 day of July 1893

H C Thompson
Clk Dist Ct Gohad Co

J. P. BYERS, Attorney.

AFFIDAVIT OF WITNESS.

STATE OF Texas
COUNTY OF Dan Patricio County Clerk } ss.

BEFORE ME, the undersigned, a ~~Notary Public~~, in and for the County and State aforesaid, personally appeared G. J. Brown who after being by me duly sworn states that he is 73 years of age and a citizen of Dan Patricio Co Texas and that he is personally acquainted with E. J. Perkins who is an applicant for citizenship in the Chickasaw Nation, I. T., and affiant further states that the said E. J. Perkins is the identical person that represents himself to be in his application for citizenship in said Nation, and that the said E. J. Perkins Parking is the Grand Son of Ole Jordan A who was known and recognized by his people and neighbors As having Chickasaw Indian Blood And The said Jordan Perkins was regarded by his neighbors as having Indian Blood and his appearance And Dialect As indicated he has known said E. J. Perkins for 35 years - his father and his Grand Father

Affiant further states that he has known the said E. J. Perkins for the past 35 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Chickasaw Indian blood; and that the complexion, physical appearance, language and manners of the said E. J. Perkins indicate that the said E. J. Perkins is of Indian blood. That from the above facts and circumstances and from statements made to him by the said E. J. Perkins affiant states he has every reason to believe, and does believe that the said E. J. Perkins is of Chickasaw Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said E. J. Perkins to citizenship in the Chickasaw Nation, I. T., ~~and that is not related by blood or marriage to the said~~

G. J. Brown

Subscribed and sworn to before me this 11th day of July A. D. 1893

and I further certify that I am well acquainted with the said G. J. Brown and know him to be a person of credibility and of truth and veracity.

Steve J. Lewis Clerk Co Ct
Dan Patricio Co Texas

My commission expires on the ..... day of ..... 189....

AFFIDAVIT OF WITNESS.

STATE OF Texas }
COUNTY OF Duval } ss.
County Clerk

BEFORE ME, the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared Henry H. Perkins who after being by me duly sworn states that is 43 years of age, and a citizen of Nueces County and State of Texas and that he is personally acquainted with Sarah E. Perkins who is an applicant for citizenship in the Chickasaw Nation, I. T, and affiant further states that the said Sarah E. Perkins is the identical person who represents her self to be in her application for citizenship in said Nation, and that the said Sarah E. Perkins is the widow of J. C. Perkins who was a Grandson of Jordon Perkins, known and recognized by his people as having Chickasaw Blood and the said Jordon Perkins was Recognized by his neighbors as having Indian Blood and his appearance and his dialect indicated it

Affiant further states that he has known the said J. C. Perkins, husband of Sarah E. Perkins Sarah E. Perkins for the past 30 years and knows that she is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Chickasaw Indian blood; and that the complexion, physical appearance, language and manners of the said J. C. Perkins husband of Sarah E. Perkins indicate that the said J. C. Perkins is of Indian blood. That from the above facts and circumstances and from statements made to me by the said J. C. Perkins husband of Affiant affiant states, he has every reason to believe, and does believe that the said J. C. Perkins " is of Chickasaw Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Sarah E. Perkins to citizenship in the Chickasaw Nation, I. T., ~~and that is not related by blood or marriage to the said~~ Henry H. Perkins

Subscribed and sworn to before me this 19th day of August A. D. 1893

and I further certify that I am well acquainted with the said Henry H. Perkins and know him to be a person of credibility and of truth and veracity.

Wm A. Sinnet
Clerk Co. Ct Duval Co Texas Notary Public

My commission expires on the 8th day of December, 1894

AFFIDAVIT OF WITNESS.

STATE OF Ind. Ter.
COUNTY OF Pau Pateis } ss.
County Clerk

BEFORE ME, the undersigned, a ~~Notary Public~~, in and for the County and State aforesaid, personally appeared G. J Brown who after being by me duly sworn states that is 73 years of age, and a citizen of Pau Pateis County and State of Ind. Ter. and that he is personally acquainted with John Perkins who is an applicant for citizenship in the Chickasaw Nation, I. T, and affiant further states that the said John Perkins is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said John Perkins is a Grand Son of Jordan Perkins: whom I was personally acquainted with, and who was a Chickasaw Indian either full blood or three Quarter blood.

Affiant further states that he has known the said John Perkins for the past 22 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Chickasaw Indian blood; and that the complexion, physical appearance, language and manners of the said John Perkins indicate that the said John Perkins is of Indian blood. That from the above facts and circumstances and from statements made to him by the said John Perkins affiant states he has every reason to believe, and does believe that the said John Perkins is of Chickasaw Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said John Perkins to citizenship in the Chickasaw Nation, I, T., ~~and that is not related by blood or marriage to the said~~

G. J Brown

Subscribed and sworn to before me this 16" day of August A. D. 189 3

and I further certify that I am well acquainted with the said G J Brown and know him to be a person of credibility and of truth and veracity.

Stan J Lewis, Co. Clerk
Pau Pateis Co I T ~~Notary Public.~~

My commission expires on the ..... day of ....., 189....

Office ... 21st ...5

...

Henry W. Perkins

Marriage License

Returned

James Perkins

and

Mrs. Mary Allsopp

Certified Copy

$1.00

County

The State of Texas
County of San Patricio

To any regularly ordained Minister of the Gospel, District or County Judge, or Justice of the Peace, Greeting:

You are hereby authorized and commanded to unite Mr. James Rollins and Miss Mary Allsopp in the bonds of Matrimony and make due return of this License with your certificate of having performed the Marriage Ceremony endorsed, within the time prescribed by Law.

In Testimony whereof I have hereunto signed my name & affix the seal of the County Court at office, in the Town of San Patricio, this the 14th day of April A.D. 1867.

John Jaffrey C.C.C.
San Patricio Co.

The State of Texas.
County of San Patricio.

I have united the within named persons in the bonds of Matrimony on this the 14th day of April A.D. 1867.

John Ryan J.P. & P. Co.
Precinct No. 1

Returned & Recorded on the 12th day of July in Book of Marriage License, page 37.

John Jaffrey C.C.C.

The State of Texas
County of San Patricio

I Certify that the foregoing is a true and correct Copy of the Marriage

LEGHORN ABSTRACT
FROM FLOYD SHOCK & CO.,
DALLAS, TEXAS.

License to Marry James Perkins and Mrs Mary A Cosper is the same of Record in my office.

Witness my hand and Seal of Office at Office in San Patricio this the 31st day of August A.D. 1893.

Chas J Lewis. Clerk
County Court. San Patricio
County Texas

Marriage License
Returned
January 9th 1894
Mr. Mary A Cosper
Certificate Copy

W. H. Perkins

W. H. Perkins

APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of Chickasaw Nation, Ind. Ter.:

GENTLEMEN:—The undersigned, your petitioner, this day makes this His Application for Citizenship in the Chickasaw Nation, in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of this Application to-wit:

That He H. W. Perkins is the Son of James Perkins Jr. Grandson of Jordan Perkins of one Jordan Perkins who the undersigned fully belies was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this his Application for Chickasaw Citizenship by blood, and respectfully awaits the time when his Application shall be truly heard and tried. Respectfully submitted.

Age 43 years, Postoffice Alice Texas Nueces County.

Family, with their relationship attached, is as follows:

NO.	NAMES.	SEX.	AGE.	RELATIONSHIP.
1	H. W. Perkins	m	43	husband
2	R. V. Perkins	f m	40	wife
3	Mollie Stoffles	"	21	daughter
4	Buttie Perkins		19	" "
5	Emmett Perkins		17	son
6	Fannie Perkins		15	daughter
7	Doyle Perkins		11	son
8	Mamie Perkins		8	daughter
9	Perry Perkins		5	son
10	Dora Perkins		1	daughter

In witness of which Application, I hereunto set my hand, on this the 29 day of June 189 9

.....

Subscribed and sworn to before me this 29 day of June 189 9

H. C. Thompson
Clk Dist Ct Nueces Co
Tex

J. P. BYERS, Attorney.

W B Perkins

AFFIDAVIT OF WITNESS.

STATE OF Texas }
COUNTY OF Gohaid } ss.

BEFORE ME, the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared H. W. Perkins who after being by me duly sworn states that is 43 years of age, and a citizen of Gohaid County and State of Texas and that he is personally acquainted with W. B. Perkins who is an applicant for citizenship in the Choctaw Nation, I. T, and affiant further states that the said W. B. Perkins is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said W. B. Perkins is the son of J. Jordan Perkins who was of Chickasaw Indian Blood known and recognized by his people and neighbors as being of Chickasaw Indian blood his appearance and speech indicate it

Affiant further states that he has known the said W. B. Perkins for the past 35 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Chickasaw Indian blood; and that the complexion, physical appearance, language and manners of the said W. B. Perkins indicate that the said W. B. Perkins is of Indian blood. That from the above facts and circumstances and from statements made to me by the said W. B. Perkins affiant states he has every reason to believe, and does believe that the said W. B. Perkins is of Chickasaw Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said W. B. Perkins to citizenship in the Choctaw Nation, I. T., and that is not related by ~~blood or marriage~~ to the said

H. W. Perkins

Subscribed and sworn to before me this 29 day of June A. D. 1897.

and I further certify that I am well acquainted with the said H. W. Perkins and know he is to be a person of credibility and of truth and veracity.

H. C Thompson
Clk Dist Court Gohaid County Tex

My commission expires on the 30 day of Nov., 1897.

W B Perkins

AFFIDAVIT OF WITNESS.

STATE OF Ind Ter
COUNTY OF Gloud } ss.
Clk Dist Ct

BEFORE ME, the undersigned, ~~a Notary Public~~, in and for the County and State aforesaid, personally appeared G M Fullons who after being by me duly sworn states that is 30 years of age, and a citizen of Gloud County and State of Texas and that he is personally acquainted with W B Perkins who is an applicant for citizenship in the Chickasaw Nation, I. T., and affiant further states that the said W B Perkins is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said W B Perkins is the son of Jordan Perkins who was of Chickasaw Indian Blood known and recognized as such by his people and neighbors as being of Chickasaw Indian Blood and his appearance and speech indicate it,

Affiant further states that he has known the said W B Perkins for the past 4 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Chickasaw Indian blood; and that the complexion, physical appearance, language and manners of the said W B Perkins indicate that the said W B Perkins is of Indian blood. That from the above facts and circumstances and from statements made to me by the said W B Perkins affiant states he has every reason to believe, and does believe that the said W B Perkins is of Chickasaw Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said W B Perkins to citizenship in the Chickasaw Nation, I, T., and that is not related by blood or marriage to the said W B Perkins

his
G M X Fullons
mark

Subscribed and sworn to before me this 29 day of June A. D. 1894.

and I further certify that I am well acquainted with the said G M Fullons and know him to be a person of credibility and of truth and veracity.

H C Thompson
Clk Dist Court Gloud Co Ind Ter
Notary Public.

My commission expires on the 30 day of Nov, 1894.

Sarah E Perkins
applⁿ

APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of Chickasaw Nation, Ind. Ter.:

GENTLEMEN:—The undersigned, your petitioner, this day makes this her Application for Citizenship in the Chickasaw Nation, in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of this her Application to-wit:

That ..... is the Grand Daughter of one Jordan Perkins who the undersigned fully belies was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this her Application for Chickasaw Citizenship by blood, and respectfully awaits the time when her Application shall be truly heard and tried. Respectfully submitted.

Age ..... years, Postoffice Alice Texas

Family, with their relationship attached, is as follows:

NO.	NAMES.	SEX.	AGE.	RELATIONSHIP.
	Sarah E. Perkins	Fem.	38	Widow of J. C. Perkins
	J. P. Perkins	male	19	Son of " "
	G. E. Perkins	male	17	Son of J. C. Perkins

In witness of which Application, I hereunto set my hand, on this the 19th day of August 1893

S. E. Perkins

Subscribed and sworn to before me this 19th day of August 1893

Wm. A. Tinney

Clerk C. C. Doaksville, I. T.

J. P. BYERS, Attorney.

N B Bertonis

Mr Bertonis Esq.

Capple

APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of Chickasaw Nation, Ind. Ter.:

GENTLEMEN:—The undersigned, your petitioner, this day makes this ... his ... Application for Citizenship in the ... Chickasaw ... Nation, in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of this ... Application to-wit:

That ... he ... W. B. Perkins ... is the ... Son ... of one ... Gordan Perkins ... who the undersigned fully belies was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this ... his ... Application for ... Chickasaw ... Citizenship by blood, and respectfully awaits the time when ... his ... Application shall be truly heard and tried. Respectfully submitted.

Age ... 57 ... years, Postoffice ... Goliad — Goliad Co. Texas

Family, with their relationship attached, is as follows:

NO.	NAMES.	SEX.	AGE.	RELATIONSHIP.
1	W B Perkins	m	57	Husband
2	Elizabeth Perkins	F	42	Deceased wife
3	W L Perkins	m	32	Son
4	A J Perkins	m	29	Son
5	Lekter Perkins	m	24	Son
6	Elmer Perkins	m	21	Son
7	Melissa Perkins	F m	18	daughter
8	Almond Perkins	m	13	son

In witness of which Application, I hereunto set my hand, on this the ... 29 ... day of ... June ... 1897

W B Perkins

Subscribed and sworn to before me this ... 29th ... day of ... June ... 1897

H. C. Thompson
Clk District Court Goliad Co.
Tex

J. P. BYERS, Attorney.

AFFIDAVIT OF WITNESS.

STATE OF ....Texas.....
COUNTY OF ..Trinity..... } ss.

BEFORE ME, the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared M. D. Williams ..... who after being by me duly sworn states that is 58 ..... years of age, and a citizen of ...Trinity ..... County and State of Texas ..... and that he ... is personally acquainted with ...W. B. Perkins.. who is an applicant for citizenship in the ....Choctaw ..... Nation, I. T., and affiant further states that the said ..W. B. Perkins ..... is the identical person ..he ... represents ..... himself to be in ..his ..... application for citizenship in said Nation, and that the said W. B. Perkins ..... is ...the Son of ...one ..... Jordan Perkins who was of Choctaw Indian Blood — and was known and Recognized as such by his acquaintances and people and his Physical Appearance and Dialect indicated that he was of Indian Blood —

Affiant further states that ..he ... has known the said ..W. B. Perkins ..... for the past ...45 ..... years and knows that ...he ... is and has been recognized and treated by ...his neighbors, acquaintances and the public generally, as a person having ...Indian blood; and that the complexion, physical appearance, language and manners of the said ...W. B. Perkins.. indicate that the said ..W. B. Perkins ..... is of Indian blood. That from the above facts and circumstances and from statements made to ..me ..... by the said ...W. B. Perkins. affiant states ..he ..... has every reason to believe, and does believe that the said ...W. B. Perkins is of ...Indian blood.

Affiant further states that ..he ..... has no interest whatever in the prosecution of the claim of the said ..W. B. Perkins ..... to citizenship in the ...Choctaw Nation, I. T., ~~and that is not related by blood or marriage to the said~~ .....

M. D. Williams

Subscribed and sworn to before me this ....7th ..... day of ..August ... A. D. 1893 ...

and I further certify that I am well acquainted with the said ...M. D. Williams ..... and know ..him ... to be a person of credibility and of truth and veracity.

A. Burney Notary Public
Trinity Co. Texas
Notary Public.

My commission expires on the ..... day of ...November, 1893 ...

End

1896 Chic 244

APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of Chickasaw Nation, Ind. Ter.:

GENTLEMEN:—The undersigned, your petitioner, this day makes this ...Her... Application for Citizenship in the ...Chickasaw... Nation, in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of this ...Her... Application to-wit:

That ...Mary L. Rider... is the ...daughter of James Perkins ~~of the~~ ...Grand daughter of Jordan Perkins... who the undersigned fully belies was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this ...Her... Application for ...Chickasaw... Citizenship by blood, and respectfully awaits the time when ...Her... Application shall be truly heard and tried. Respectfully submitted.

Age ...42... years, Postoffice ...Alice Texas Nueces Co...

Family, with their relationship attached, is as follows:

NO.	NAMES.	SEX.	AGE.	RELATIONSHIP.
1	F. M. Rider	M	61	Husband
2	Mary L Rider	Fm	42	Wife
3	Ella Rider	Fm	23	Daughter
4	James D Rider	M	16	Son

In witness of which Application, I hereunto set my hand, on this the ...29... day of ...June... 1893

...F. M. Rider...

Subscribed and sworn to before me this ...29... day ...June... 1893

...H. C. Thompson Clk...

...Post Office Nueces Co Texas...

J. P. BYERS, Attorney.

AFFIDAVIT OF WITNESS.

STATE OF Texas }
COUNTY OF Gr Lake } ss.

BEFORE ME, the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared W B. Perkins & G. M. Tullons who after being by me duly sworn states that is ~ years of age, and a citizen of Gr Lake County and State of Texas and that they is personally acquainted with Mary L Ryder & Jm Ryder who is an applicant for citizenship in the Choctaw Nation, I. T, and affiant further states that the said Mary L Ryder & Jm Ryder is the identical person they represents them sel to be in their application for citizenship in said Nation, and that the said Mary L. Ryder is the Daughter of James Perkins and a Grand Daughter of Jordan Perkins who does Recognized and Recognized as being of Choctaw Indian Blood And Her Appearance And Speech indicates it

Affiant further states that they have has known the said Mary L Ryder for the past 40 years and knows that She is and has been recognized and treated by the neighbors, acquaintances and the public generally, as a person having Choctaw Indian blood; and that the complexion, physical appearance, language and manners of the said Mary L Ryder indicate that the said Mary L Ryder is of Indian blood. That from the above facts and circumstances and from statements made to affiant by the said Mary L Ryder affiant states they have has every reason to believe, and does believe that the said Jm L Ryder is of Choctaw Indian blood.

Affiant further states that they has no interest whatever in the prosecution of the claim of the said Mary L Ryder to citizenship in the Choctaw Nation, I. T., ~~and that is not related by blood or marriage to the said~~ W B Perkins

G M Tullons

Subscribed and sworn to before me this 29 day of June A. D. 1897.

and I further certify that I am well acquainted with the said W B Perkins & G M Tullons and know them to be a person of credibility and of truth and veracity.

H C Thompson Clerk
Dist Court
Notary Public

My commission expires on the 20 day of Nov, 1899.

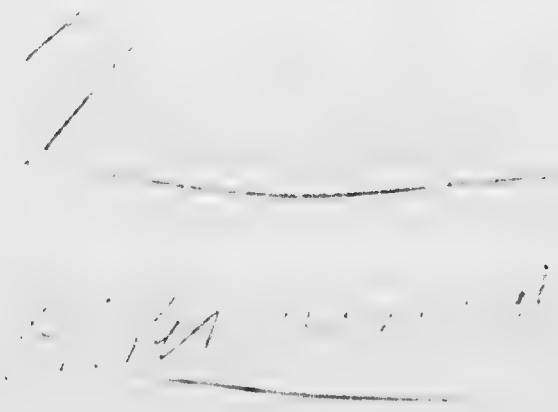
End

1896 Chic 245

Ardmore, I.T., Sept 7th, 1896

Hon Daws Commission

Sir: I should have written to you before but I had no idea that it was necessary for me to do so. I married near Fort Washita on the 24th April, 1866 Nancy McCoy who was the daughter of Jas & Ps McCoy who was a Choctaw by birth, and the daughter of Dibby McCoy who was 1/2 Cherokee and 1/2 Chickasaw. I married according to the laws of the Chickasaw Nation, & have resided in the Choctaw and Chickasaw Nations ever since. I have received annuity from the Choctaws though I was living in the Chickasaw Nation at the time, and my right was never disputed by any one. I have held office, and voted in both Nations repeatedly I own an interest in the Country for the benifit of my family and for no other purpose. And I desire that you will put my name on your Roles. I have taken the oath of Citizenship to the U S, under the 32 art of the Oklahoma Court bill and expect protection in my just rights from the Govt of the U S. I send you inclosed a document from the Dept at Washington



which I think will be satisfactory to you & will convince you, that I apply for [illegible] for protection and that my claim is not fraudulent. My right to full citizenship never been disputed Gov elect of the Chickasaw Nation says I have as much right to vote hold office as any Chickasaw. I can send you the affidavit of persons who will testify to my marige. will you please let me hear from you. Please put my name on the Role

Yours Truly
Abel Dustin Chase

These Papers will show you that I was
acknowledged a Citizen by the Byrd
who knew me to be & Could not have
had an Office without it was
A L Chase

NATIONAL OFFICERS:

Wm. L. Byrd, Gov.
A. V. Oberlie, Nat. Sec.
O. Fisher, Nat. Treas.
H. H. Burris, Nat. Asst.
Benj. Kemp, Atty Gen.

Circular Appointment.

Chickasaw Nation.

Tishomingo, I. T. 9th 1887

Hon. A. T. Adams.

Ardmore, I. T.

Dear Sir

Enclosed please find notice to W. F. Purcell which you will please serve on him and return to this office at your earliest convenience.

Respectfully Yours

United States Indian Agent

Muskogee, I. T.

Wm. L. Byrd

Governor.

2 - 57

No. 3464

Abel D. Chase

v

Chickasaw Nation

Filed 9 Sept 1896
W M Jeowry
Clk

No contest
Admitted as to ...
intermarriage ...

Ardmore I.T.

NATIONAL OFFICERS:

Wm. L. Byrd, Gov.
M. V. Cheadle, Nat. Sec.
J. Fisher, Nat. Treas.
H. H. Burris, Nat. Asst.
Benj. Kemp, Atty Gen.

Executive Department,

Chickasaw Nation,

Tishomingo City, I. T. July 12 1887

Hon. A. J. Shute
Deputy Internal Collector
Arkansas [illegible]
Dear Sir

The only way United States Citizens can lawfully form a Joint Stock Company is by procuring a Charter from the Legislature Chickasaw Citizens have a right individually or Collectivly

Banking business can be carried on in the same manner as traders by paying a percent on amount invested.

Very respectfully

Wm. L. Byrd
Governor

APPROPRIATION

TO

CHOCTAWS AND CHICKASAWS,

MARCH 3, 1891,

IN PAYMENT FOR THEIR INTEREST IN THE LANDS OF THE CHEYENNES AND ARAPAHOES.

DEPARTMENT OF THE INTERIOR,

WASHINGTON, *October 2, 1891.*

The President:

As you have under consideration what appropriate action should be taken by you under act of March 3, 1891 (Chap. 543, 26 Stats., 989, 1025, 1026), particularly in relation to manner and form of conveyances by the Choctaws and Chickasaws to the United States, and as the Choctaws have ordained that all of the money they might receive after deducting certain fees and expenses, shall be paid out per capita to the Choctaw citizens of *the whole blood*, I invite your attention to the several opinions herewith transmitted.

That of the Honorable Attorney-General while in form refusing an opinion (for sufficient reasons I think) does state (by the way) that the statute above referred to contemplates payment in bulk to the representatives of these Indians. This indeed might be done, but after the act of Congress was approved on March 3, the Choctaw Nation passed its ordinance declaring payment should be made to the *whole bloods* only. This was done June 11, 1891. But by treaty of April 28, 1866 (14 Stats., 769, Art. XXXVIII), "every white person who having married a Choctaw or Chickasaw, residing in the said Choctaw or Chickasaw Nation, or who has been adopted by the legislative authorities is to be deemed a member of said Nation, etc."

This action by the Choctaws was preceded by another excluding Mr. Chase from his right in the Nation because he had become a citizen of the United States. The opinion of the Assistant Attorney-General assigned to this Department was requested upon the legality of this action by the Choctaws. His conclusion was against the power of the Choctaws to exclude Mr. Chase. A copy of that opinion is sent herewith.

When the ordinance of June 11, 1891, was passed by this Indian nation Mr. A. D. Chase complained of the wrong he would suffer if he was not allowed to participate in the fund. Upon reference to the Assistant Attorney-General, that officer rendered an opinion, copy of which is herewith transmitted, in which he holds that the Executive has sufficient control of these Indians to require action in accordance with their treaty obligations or to refuse to pay over the money.

There are many other persons in the Nation in like situation with Mr. Chase.

The opinion of the Honorable Attorney-General himself was sought because of the suggestion of the Assistant Attorney-General.

Such action as was taken by Congress on the case of the Cherokee freedmen ought not to be required to be repeated on the similar case

now arising among the Choctaws, if the Department has the power to prevent it. The interests of these Indians themselves require that they should not be allowed to commit an error, the correction of which would be troublesome to the United States Government and expensive to themselves.

Thinking that you should be advised of the state of this business at this time for further direction if you desire.

Most respectfully,

JOHN W. NOBLE,
Secretary.

The Choctaw Nation. Relative to payments to members who are citizens thereof by blood only.

DEPARTMENT OF THE INTERIOR,

OFFICE OF THE ASSISTANT ATTORNEY-GENERAL,

WASHINGTON, D. C., *July 22, 1891.*

The Honorable
the Secretary of the Interior.

SIR: By reference from Honorable Acting Secretary Chandler, dated the 26th ultimo, my "opinion is requested on the question" presented by the Commissioner of Indian Affairs in his communication of the 23d ultimo submitting certain papers relative to the distribution of the funds appropriated by section 15 of the act of March 3, 1891 (26 Stats., 1025), in payment to Choctaw and Chickasaw Nations of Indians for their interest in lands occupied by Cheyenne and Arapahoe Indians.

From the papers before me it appears that by the first section of the act of the General Council of the Choctaw Nation approved June 11, 1891, it was enacted—

That the sum of $1,657,691, being the balance after deducting delegates' per cent. and $25,000 for necessary expenses in procuring and disbursing the same, shall be paid out per capita among the Choctaw citizens by blood residing in the Choctaw and Chickasaw Nation at the date of this act.

Article VII, of the treaty of June 22, 1855 (11 Stats., 611–612), provides:

So far as may be compatible with the Constitution of the United States and the laws made in pursuance thereof regulating trade and intercourse with the Indian tribes, the Choctaws and Chickasaws shall be secured in the unrestricted right of self-government, and full jurisdiction over persons and property within their respective limits; excepting, however, all persons with their property, who are not by birth, adoption, or otherwise citizens or members of either the Choctaw or Chickasaw tribe, etc.

In the treaty of April 28, 1866 (14 Stat., 769), Article VII, provides:

The Choctaws and Chickasaws agree to such legislation as Congress and the President of the United States may deem necessary for the better administration of justice and the protection of the rights of person and property within the Indian Territory: *Provided, however,* such legislation shall not in any wise interfere with or annul their present tribal organization or their respective legislatures or judiciaries, or the rights, laws, privileges, or customs of the Choctaw or Chickasaw Nations respectively.

This treaty provides for a general council of all the Indian tribes within the Indian Territory, and for the allotments of the Choctaw and Chickasaw lands in severalty.

Article XXVI, referring to said allotments, provides as follows:

The right here given to Choctaws and Chickasaws respectively shall extend to all persons who have become citizens by adoption or intermarriage of either of said nations, or who may hereafter become such.

Article XXXVIII, of said treaty, is as follows:

Every white person who, having married a Choctaw or Chickasaw, resides in the said Choctaw or Chickasaw Nation, or who has been adopted by the legislative authorities is to be deemed a member of said nation, and shall be subject to the laws of the Choctaw and Chickasaw Nations according to his domicile, and a prosecution and trial before their tribunals and a punishment according to their laws in all respects as though he was a native Choctaw or Chickasaw.

Article XLV provides that—

All the rights, privileges, and immunities, heretofore possessed by said nations or individuals thereof, or to which they were entitled under the treaties and legislation heretofore made and had in connection with them shall be and are hereby declared to be in full force so far as they are consistent with the provisions of the treaty.

The first clause of section 43 of the act of May 2, 1890 (26 Stat., 99), providing for a temporary government for the Territory of Oklahoma, enacts:

That any member of any Indian tribe or nation residing in the Indian Territory may apply to the United States court therein to become a citizen of the United States, and such court shall have jurisdiction thereof and shall hear and determine such application as provided in the statutes of the United States. * * * *Provided*, That the Indians who become citizens of the United States under the provisions of this act do not forfeit or lose any rights or privileges they enjoy or are entitled to as members of the tribe or nation to which they belong.

By the second paragraph of section 15 of the act of March 3, 1891 (26 Stat., 989–1025), making appropriations for the Indian Department, it is provided that—

The sum of two million nine hundred and ninety-one thousand four hundred and fifty dollars be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated, to pay the Choctaw and Chickasaw Nations of Indians for all the right, title, interest, and claim which said nations of Indians may have in and to certain lands now occupied by the Cheyenne and Arapahoe Indians under Executive order * * * three-fourths of this appropriation to be paid to such person or persons as are or shall be duly authorized by the laws of said Choctaw Nation to receive the same at such time and in such sums as directed and required by the legislative authority of said Choctaw Nation.

It is alleged by one Abel D. Chase that by intermarriage he became a citizen of the Choctaw Nation on the 24th day of April, 1860; that he took the oath of allegiance to the United States Government under

the provision of said forty-third section of the act of May 2, 1890; that he insists upon all the protection which said section guaranteed, and he demands that the Government should protect him in his rights as a member of the Choctaw Nation and secure to him his distributive share in said fund.

The Commissioner of Indian Affairs is of the opinion that said article of the treaty of 1866 relates exclusively to the right of the intermarried citizens of the Nation or citizens by adoption to make selections of lands in severalty; that "the right of suffrage can be conferred only by the Choctaw Nation upon such of its citizens as it deems proper to entrust with this important franchise. The right of property, however, would seem to be a right that as a member of the Nation an intermarried citizen thereof could claim under this article equal with the citizens of the Nation by blood;" that under said article 7 of the treaty of 1855, the Choctaw Nation has the same power to legislate respecting the disbursement of its public funds that the States have concerning their public funds, and that citizens of the Choctaw Nation would have no other recourse against the distribution of said funds than citizens of a State would have against objectionable appropriation of public moneys. The Commissioner therefore asks to be advised "whether it is competent for the Choctaw Nation to distribute any portion of the funds derived from the appropriation referred to to a part of its citizens and not to all, and, if not, whether those citizens who are or may be discriminated against would have any remedy except in the courts of the Choctaw Nation, by which they could enforce their rights to a participation in the distribution of the funds."

Reference is also made by the Commissioner to the action of the Government relative to the claims of the Cherokees, Delawares, Shawnees, and freedmen, of the right, as citizens, to share in the per capita distribution of certain funds of that Nation.

It is quite evident that if Mr. Chase has, by intermarriage, as he alleges, become "a member of said Nation," as provided by article 38, of said treaty of 1866, he forfeited no rights by becoming a citizen of the United States under said section 43 of the act of May 2, 1890, and it can not be assumed that Congress intended by the provision in said section 15 of the act of March 3, 1891, to authorize said Nation to deprive any of its members who had or should become citizens of the United States, of any rights or privileges enjoyed by the other members of the tribe.

The purpose of the provision of section 15 of the Indian appropriation act, manifestly was to authorize the Choctaw Nation to designate some person or persons to receive the amount due on some specified time when payment should be made after the conveyances shall have been fully executed and delivered "in manner and form satisfactory the [to] the President of the United States, which, by the express provision of said section," shall operate to extinguish all claim of every kind and

character of said Choctaw and Chickasaw Nations of Indians in and to the tract of country to which said releases and conveyances shall apply.

The relation of the Indian tribes to the United States Government, including the Choctaw Nation, has been so often considered by the different branches of this Government that it would seem to be an unnecessary consumption of time to refer in detail to the numerous cases decided by the courts, the acts of Congress relative to and the various treaties with the Indian tribes, and the opinions of the Attorneys General. Reference will, however, be made to a few of the leading cases upon the subject. As early as 1831, in the case of Cherokee Nation *v.* State of Georgia (5 Peters, 1–17), Mr. Chief Justice Marshall delivering the opinion of the United States Supreme Court, said:

> They may more correctly, perhaps, be denominated domestic, dependent nations. They occupy a territory to which we assert a title independent of their will which must take effect in point of possession when their right of possession ceases. Meanwhile, they are in a state of pupilage. Their relation to the United States resembles that of a ward to his guardian. They look to our Government for protection, rely upon its kindness and its power, appeal to it for relief to their wants, and address the President as their Great Father. They and their country are considered by foreign nations, as well as by ourselves, as being so completely under the sovereignty and dominion of the United States that any attempt to acquire their lands, or to form a political connection with them, would be considered by all as an invasion of our territory and an act of hostility.

Again in the case of Worcester *v.* The State of Georgia (6 Peters 515–561), the same eminent jurists speaking for the Supreme Court said:

> The Cherokee Nation, then, is a distinct community, occupying its own Territory, with boundaries accurately described, in which the laws of Georgia can have no force, and which the citizens of Georgia have no right to enter, but with the assent of the Cherokees themselves, or in conformity with treaties and with the acts of Congress. The whole intercourse between the United States and this Nation is, by our constitution and laws, vested in the government of the United States.

In the case of United States *v.* Kagama (118 U. S., 375–382), Mr. Justice Miller said that the best statement of the position of the Indian tribes in the United States was to be found in said cases. He also said (p. 383–384):

> These tribes are the wards of the nation. They are communities dependent on the United States. Dependent largely for their daily food. Dependent for their political rights. They owe no allegiance to the States, and receive from them no protection. Because of the local ill feeling, the people of the States where they are found are often their deadliest enemies. From their very weakness and helplessness, so largely due to the course of dealing of the Federal Government with them and the treaties in which it has been promised, there arises the duty of protection and with it the power. This has always been recognized by the Executive and by Congress, and by this court, whenever the question has arisen. * * * The power of the General Government over these remnants of a race once powerful, now weak and diminished in numbers, is necessary to their protection, as well as to the safety of those among whom they dwell. It must exist in that government, because it never has existed anywhere else, because the theater of its exercise is within the geographical limits of the United States, because it has never been denied, and because it alone can enforce its laws on all the tribes.

The decision in the Kagama case was quoted at length with approval in the case of Choctaw Nation *v.* United States, (119 U. S., p. 1–27) in which the court also said (p. 28):

> The recognized relation between the parties to this controversy, therefore, is that between a superior and an inferior, whereby the latter is placed under the care and control of the former, and which, while it authorizes the adoption on the part of the United States of such policy as their own public interests may dictate, recognizes, on the other hand, such an interpretation of their acts and promises as justice and reason demand in all cases where power is exerted by the strong over those to whom they owe care and protection. The parties are not on an equal footing, and that inequality is to be made good by the superior justice which looks only to the substance of the right, without regard to technical rules framed under a system of municipal jurisprudence, formulating the rights and obligations of private persons, equally subject to the same laws.

The right to regulate intercourse with the Indian tribes is given to Congress by the Constitution of the United States (art. 1, sec. 7, paragraph 3), and it has enacted that—

> Section 463. The Commissioner of Indian Affairs shall, under the direction of the Secretary of the Interior, and agreeably to such regulations as the President may prescribe have the management of all Indian affairs, and of all matters arising out of Indian relations.

When, therefore, it becomes apparent that the Choctaw Nation, by its legislative authority, has attempted to deprive any of its members of any right of property, it is not only the right, but, in my judgment, the duty of the executive to interpose its supervisory authority in order that justice may be done. Especially is this true when the party complaining, as in the present case, is a citizen of the United States to whom the faith of the Government is pledged that he shall not lose any of his rights as a member of said Nation.

This construction is in accordance with right, and involves no unjust consequences. In the case of the United States *v.* Kirby (7 Wall., 482–486) the Supreme Court said:

> All laws should receive a sensible construction. General terms should be so limited in their application as not to lead to injustice, oppression, or an absurd consequence. It will, therefore, be presumed that the legislature intended exceptions to its language which would avoid results of this character. The reason of the law in such cases should prevail over its letter.

In Heydenfeldt *v.* Daney Gold, etc. Co. (93 U. S., 634–638) the Supreme Court said concerning the construction of a law:

> We are not to look at any single phrase in it, but to its whole scope, in order to arrive at the intention of the makers of it. "It is better always," said Judge Sharswood, "to adhere to a plain common-sense interpretation of the words of a statute, than to apply to them refined and technical rules of grammatical construction." (Gyger's Estate, 65 Penn. St. 312). If a literal interpretation of any part of it would operate unjustly, or lead to absurd results, or be contrary to the evident meaning of the act taken as a whole, it should be rejected. There is no better way of discovering its true meaning, when expressions in it are rendered ambiguous by their connection with other clauses, than by considering the necessity for it, and the causes which induced its enactment.

I have had occasion heretofore to consider the effect of legislation

by the Indian legislature hostile to the enactments of Congress. See Opinion Book No. 6, p. 47 (copy attached). This view is strengthened by the action of Congress relative to the distribution of the funds appropriated for payment to the Cherokee Nation for lands west of the Arkansas River.

By the act of March 3, 1883 (22 Stat., 603–624, "making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1884, and for other purposes," three hundred thousand dollars were appropriated, "to be paid into the treasury of the Cherokee Nation out of the funds due under appraisement for Cherokee lands west of the Arkansas River, which sum shall be expended as the acts of the Cherokee legislature direct, etc."

The Cherokees distributed the funds to Cherokees in an act of its legislature, and Congress deeming the same inequitable, on October 19, 1888, appropriated $75,000 to be distributed to freedmen and their descendants, Delawares and Shawnees, "in such manner and in such amount or amounts as will equalize the per capita payment made to Cherokees by blood in accordance with the act of the Cherokee legislature aforesaid," and caused the same to be charged to the Cherokee Nation to be reimbursed to the United States.

This action may be considered a legislative construction that Congress does not intend to give to the Indian tribes the unlimited power of distribution of said funds, but expects that the same shall be disposed of in accordance with law and equity, and that the Department should, in the exercise of its supervisory power, see that each member of the Nation receives the share to which he may be justly entitled. I am therefore of the opinion, and so advise you, that until the Choctaw Nation changes or modifies its said legislation discriminating against citizens of the United States who are members of said Nation, and against other members of said Nation, the Department should not take action which would jeopardize their rights. In view of the fact that this matter must be considered by the President, and its great importance, I take the liberty of suggesting that the opinion of the Attorney-General should be had before action.

The papers transmitted are herewith returned.

Very respectfully,

GEO. H. SHIELDS,
Assistant Attorney General.

UNITED STATES INDIAN SERVICE,

UNION AGENCY,

Muscogee, Ind. Ter., May 8, 1891.

The Honorable
The Commissioner of Indian Affairs,
Washington, D. C.

SIR: I have the honor to transmit herewith a letter from Mr. A. D.

Chase, relative to his rights as an intermarried Choctaw and Chickasaw.

Very respectfully, your obedient servant,

LEO E. BENNETT,
United States Indian Agent.

ARDMERE, I. T., *April 18, 1891.*

LEO E. BENNETT, Esq.,
U. S. Indian Agent.

DEAR SIR: I see in the Paris News a bill passed by the Choctaw Council, thus:

Section 1. That the sum of $1,657,691, being the balance after deducting the delegates' per diem and $25,000 for running expenses in procuring and distributing the same among Choctaw citizens by *blood* residents in the Choctaw and Chickasaw Nations at the date of this act.

Now, this money has been appropriated by Congress to pay for land. Article 26 of the treaty of 1866, is thus:

The right here given to Choctaws and Chickasaws respectively, shall extend to all persons who have become citizens by adoption or intermarriage of either of said nations, or who may hereafter become such.

Now, if they can prevent me, an intermarried citizen, from receiving my share of this money derived from the sale of land in which I certainly have as much interest as any Choctaw or Chickasaw by blood, I having married a Choctaw and Chickasaw woman on the 24th day of April, 1860, according to the laws, customs, and usages of the nations, and my right has never been disputed.

Now, Mr. Bennett, I call upon you as the representative of the U. S. Government for protection and for advice in the matter.

I would also state that I took the oath of allegiance to the U. S. Government under the forty-third section of the Oklahoma bill, and that I demand all the protection from the U. S. Government that they obligated to give me, and I would not have taken it if the Government had not declared that it would protect me in all my rights and privileges.

I would also state that the letter which you forwarded to me some time ago from the Honorable Commissioner of Indian Affairs directed me, that if these people interfered with my property rights to report the fact to Washington and I would be protected. I now demand that protection and have so much faith in the Government that I believe that I will get protection. Will you please take official action in this matter and advise me what steps to take to compel the Choctaws and Chickasaws to do justice by me.

I am, very respectfully, etc.,

ABEL D. CHASE.

UNITED STATES INDIAN SERVICE,

UNION AGENCY.

Muskogee, I. T., June 15, 1891.

The Honorable
the Commissioner of Indian Affairs,
Washington, D. C.

SIR: Referring to Land 17,929, 1891, I have the honor to transmit, as directed, a certified copy of an act passed by the Choctaw National Council at its last session, providing for the disbursement of certain moneys belonging to said Nation to citizens by blood only.

Very respectfully,
Your obedient servant,

LEO E. BENNETT,
U. S. Indian Agent.
Per FRED S. NORRIS,
Clerk.

AN ACT authorizing the payment per capita of the money due the Choctaw Nation for the sale of a portion of the Leased District under act of Congress approved March 3, A. D. 1891.

Be it enacted by the General Council of the Choctaw Nation assembled:

SECTION 1. That the sum of one million, six hundred and fifty-seven thousand, six hundred and ninety one dollars ($1,657,691), being the balance after deducting the delegates' per cent. and twenty-five thousand dollars for necessary expenses in procuring and disbursing the same, shall be paid out *per capita* among Choctaw citizens by blood residing in the Choctaw and Chickasaw Nations at the date of this act

SEC. 2. That it shall be the duty of the principal chief to appoint three commissioners for each county in the Choctaw Nation and three for the Chickasaw District, whose duty shall be to enroll all the names on rolls to be prepared for that purpose, under order of the chief, the beneficiaries under this act. When said rolls are completed, which shall be done as speedily as possible, they shall be examined by one of the commissioners to Tashka Homa and delivered to a committee consisting of the principal chief, secretary, auditor, and treasurer, who shall ascertain exactly the amount due each person, whereupon the treasurer shall proceed to disburse the same, commencing in the Second District; the payment to be made at the district court ground in each district; the auditor shall accompany the treasurer and verify the payment; the Light Horse shall also attend as a guard; the principal chief, if he desires, may superintend the disbursement in person.

SEC. 3. The commissioners shall be sworn by some county judge, which oath shall be indorsed on their appointment, and shall complete

their work in not less than twenty days; they shall meet at the most public place for convenience of the people in their respective districts, and shall receive the sum of one hundred and fifty dollars each for their services.

SEC. 4. The principal chief shall notify the commissioners when to begin their work soon after receiving the money, and this act take effect and be in force from and after its passage.

Approved June 11, 1891:

W. N. JONES,
P. C. C. N.

This is to certify that the within is a true and correct copy of the original act now on file in my office.

Witness my hand and the great seal of the Choctaw Nation. Done at Tashka Homa, the capital of the Choctaw Nation, this 11th day of June, A. D. 1891.

[SEAL.]

J. B. JACKSON,
National Secretary, Choctaw Nation.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, D. C., *June 24, 1891.*

The Honorable
The Secretary of the Interior.

SIR: I am in receipt of a report of May 8, 1891, from Agent Bennett, of the Union Agency, Muscogee, Indian Territory, transmitting a communication of April 18, 1891, from Abel D. Chase, an intermarried citizen of the Choctaw Nation, in which he quotes from the first section of an act passed by the Choctaw Council at its last session, as follows:

That the sum of $1,657,691, being the balance after deducting the delegates' per diem and $25,000 for running expenses in procuring and distributing the same among Choctaw citizens by *blood* residents in the Choctaw and Chickasaw Nations at the date of this act.

And from the 26th article of the treaty of 1866 between the Choctaws and Chickasaws and the United States (14 Stats., 777), as follows:

The right here given to Choctaws and Chicasaws respectively shall extend to all persons who have become citizens by adoption or intermarriage of either of said nations or who may hereafter become such.

Mr. Chase then claims the right, as a citizen of the Choctaw Nation, to participate in the proposed distribution of this fund, and demands the protection of the United States in this right. He states that under section 43 of the act of May 2, 1890, "to provide a temporary government for the Territory of Oklahoma" (26 Stats., 81), he took the oath of allegiance to the United States under the impression that he would be protected in all his rights as a Choctaw by the Government, notwithstanding his citizenship in the United States.

As I understand the matter the money which it is proposed by the Choctaw Nation to distribute among its citizens by blood, is that derived from its portion of the appropriation made in the last Indian appropriation act (26 Stats., 1025), in payment for the rights of the Choctaws and Chickasaws in the surplus lands of the Cheyenne and Arapaho Reservation. Section 15, of said Indian appropriation act, provides for this appropriation in payment for the equities of these Indians in the lands, and that "three-fourths of this appropriation to be paid to such person or persons as are or shall be duly authorized by the laws of said Choctaw Nation to receive the same, at such time and in such sums as directed and required by the legislative authority of said Choctaw Nation."

In connection with the claim of Mr. Chase to be entitled to receive a part of this money on account of article 26 of the treaty of 1866, I have to call the attention of the Department to the fact that that article appears to relate exclusively to the right of the intermarried citizens of the nation, or citizens by adoption to make selections of lands in severalty, the several preceding articles having relation to the subject of allotments in severalty of the lands of the Choctaw and Chickasaw Nations.

The rights of the intermarried citizens and citizens by adoption in the Choctaw and Chickasaw Nations are defined by article 38, which is as follows:

Every white person who, having married a Choctaw or Chickasaw, resides in the said Choctaw or Chickasaw Nations, or who has been adopted by the legislative authorities, is to be deemed a member of said Nation, and shall be subject to the laws of the Choctaw and Chickasaw Nations according to his domicile, and to prosecution and trial before their tribunals, and to punishment according to their laws in all respects as though he was a native Choctaw or Chickasaw.

No question can be raised as to the citizenship of a person who has married a Choctaw woman or a Choctaw man in accordance with the laws of the Choctaw Nation relating to intermarriage with non-citizens. It has been held by the Attorney-General in his opinion of August 28, 1889 (19 Opinions, 389), that article 38 of this treaty does not confer upon an intermarried citizen of the Choctaw Nation the right of suffrage in the Nation, and it would appear that this right is one that can be conferred only by the Choctaw Nation upon such of its citizens as it deems proper to entrust with this important franchise. The right of property, however, would seem to be a right that as a member of the nation an intermarried citizen thereof could claim under this article equal with the citizens of the Nation by blood. But the question is presented whether the citizens of the Choctaw Nation have such a right in the funds of the Nation, in view of the seventh article of the treaty of 1855 (11 Stats., 612), as would warrant the United States in interfering with such distribution of its funds as may be deemed proper by the national council. It is true that each citizen has an equal interest in

the funds of the Nation as well as in the lands thereof, but the seventh article of the treaty above referred to provides that:

> So far as may be compatible with the Constitution of the United States and the laws made in pursuance thereof regulating trade and intercourse with the Indian tribes, the Choctaws and Chickasaws shall be secured in the unrestricted right of self-government, and full jurisdiction over persons and property within their respective limits; excepting, however, all persons with their property who are not by birth, adoption, or otherwise members of either the Choctaw or Chickasaw tribe, etc.

and it would seem that under the authority of this provision of the treaty the Choctaw Nation, by its properly constituted legislative body, may enact such laws respecting the disbursement of the public funds as may be enacted by the legislatures of the several States of the Union respecting the public funds of those States, and that citizens of the nation would have no other recourse against such disbursements than have citizens of a State against objectionable or unconstitutional appropriation of public moneys.

I have the honor, therefore, to inclose herewith Agent Bennett's report and Mr. Chase's letter, together with a report of June 15, 1891, from Agent Bennett transmitting a copy of the act of council complained of by Mr. Chase, and to recommend that the Assistant Attorney-General for the Department be requested to give an opinion as to whether under the laws above referred to it is competent for the Choctaw Nation to distribute any portion of the funds derived from the appropriation referred to, to a part of its citizens and not to all, and if not, whether those citizens who are or may be discriminated against would have any remedy, except in the courts of the Choctaw Nation, by which they could enforce their rights to a participation in the distribution of the funds.

In view of the action taken by the Government in connection with the claims of the Cherokee Delawares, Shawnees, and freedmen, to a right as citizens to demand from the Cherokee Nation to be permitted to share in the *per capita* distribution of certain funds of that Nation, made under the provisions of an act or acts of the national council, I deem it best before replying to Mr. Chase's inquiry to request the Department to determine whether, considering the law bearing upon the matter, and the status of the citizens of the Choctaw Nation by intermarriage, the United States would be warranted in interfering with the distribution of a portion of its funds proposed by the Choctaw Nation.

Very respectfully,

T. J. MORGAN,
Commissioner.

DEPARTMENT OF THE INTERIOR,
June 26, 1891.

Respectfully referred to Hon. G. H. Shields, Assistant Attorney-General for the Department of the Interior, with request for an opinion on

the question herein presented by the Commissioner of Indian Affairs.

GEO. CHANDLER,
Acting Secretary.

DEPARTMENT OF JUSTICE,
WASHINGTON, D. C., *July 28, 1891.*

The Secretary of the Interior.

SIR: The Commissioner of Indian Affairs left at this Department a few days since an opinion prepared by Mr. Assistant Attorney-General Shields, touching the question of the rule of individual distribution among the Choctaw and Chickasaw Indians of the appropriations made by the last Congress (26 Statutes at Large, 1025), with an oral request for an opinion from this Department touching that subject-matter.

The act of Congress, after making the appropriation, provides:

> That three-fourths of this appropriation be paid to such person or persons as are or shall be duly authorized by the laws of said Choctaw Nation to receive the same, at such times and in such sums as directed and required by the legislative authority of said Choctaw Nation, and one-fourth of this appropriation to be paid to such person or persons as are or shall be duly authorized by the laws of said Chickasaw Nation to receive the same, at such times, and in such sums, as directed and required by the legislative authority of said Chickasaw Nation.

This language plainly has reference to the payment of these moneys in bulk to the representatives of the Choctaw and Chickasaw Nations and imposes no duty upon the Secretary of the Interior with reference to the individual distribution of the same. The persons entitled to such distribution, the evidence necessary to establish their claims, and the manner of such distribution, are all matters to be regulated by the laws of the Choctaw and Chickasaw Nations respectively, subject, doubtless, to the rule that such laws must not be in conflict with the Constitution and laws of the United States.

It is not apparent, therefore, that any question is presented to the Honorable Secretary of the Interior for decision requiring an opinion from the Attorney-General under section 356 of the Revised Statutes. Any decision by the Secretary, or opinion by the Attorney-General, as to who are the proper distributees of this fund, would be wholly inconclusive, and, as I conceive, outside of duties imposed by law, scarcely less so than if we should attempt to determine what should be done with the moneys paid to the several States under the act providing for the refunding of direct taxes, or fix the rule for the distribution of decedents estates in one of the Territories.

At any rate, this request contains no statement of facts, and formulates no question of law for my consideration.

Under the circumstances, therefore, the papers are returned without the opinion asked.

Very respectfully,

W. H. H. MILLER,
Attorney-General.

End

1896 Chic 246

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2446

Martha Dulin

vs

Chickasaw Nation

FILED SEPT. 9 1896.
A. S. McKENNON
COM'R.

Applicants Martha Dulin and her children Elizabeth + Fanny Dulin re-
[illegible]

Paul's Valley
I.T.

AFFIDAVIT.

To The Dawes Commission; Vinita,I.T.--

Martha Elizabeth Dulin hereby makes application to be enrolled as a citizen of the Chickasaw Tribe of Indians by your Honorable Commission and on oath sets forth the facts which follow.

She says that on the 8th.day of September A.D.18[illegible]she was duly and lawfully married to James Dulin under and by virtue of the Chickasaw Laws. That said James Dulin was at said date and up to the time of his death ,which occurred November 6th.1895 a citizen by intermarriage of the Chickasaw Tribe of Indian the said James Dulin having intermarried with Pochahuntas Walner who was a citizen by blood of the Chickasaw Tribe of Indians,and after her death married the applicant as aforesaid. Applicant says , that under and by virtue of the laws of said Chickasaw Tribe of Indians existing at the time of her said marriage with James Dulin she became a citizen and member of said Chickasaw Tribe of Indians. That the name of this applicant was duly entered upon the rolls of the Chickasaw Tribe of Indians as a citizen and that she has heretofore enjoyed property rights as a member of said tribe and receive from said tribe annuity money as a citizen. The Marriage License of this applicant to James Dulin is hereto attached as evidence.

Applicant says further that she is the mother by said James Dulin of two minor children,Elizabeth Dulin 10 years of age and Fanny Dulin 7 years of age and prays that the names of said children be entered upon the rolls as members of said Chickasaw Tribe of Indians.

I solemnly swear that the facts as above stated are true.

Martha Elizabeth Dulin

Sworn to and subscribed before me this 8th.day of Sept. 1896

Notary Public
Southern District
Ind Ter.

End

1896 chic 247

2 ~ 7

No 475

B F Hillard

v

Chickasaw Nation

Filed Aug 3/1894

A S McKennon

Comr

B F Hil[illegible]

ed as an int[illegible]

[illegible]

B F [illegible]

Aug 22/1896

W. J. Melton, Com
C. N.

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or en-
Mason

of the a
rollment
Tribe of

epresents
her is
of the
following

Your applicant B. F. Lillard
to this Honorable Commission that
entitled to be placed upon the roll
Chickasaw tribe of Indians for the
reason to wit-

1st

On the 1st day of December A.D. 1895 he was
a citizen of the United States and a white man
and a resident of Pontotoc County of the
Chickasaw Nation. and on said day was legally
Married to Miss M. L. Colbert. who was a
member of said Nation and was an Indian
by blood being Chickasaw by blood. and a
resident of said County. Nation

2d

That your applicant complied with the
laws of the said Chickasaw Nation in all
respects and was married in the manner &
form required by the laws of said Nation and
his marriage was properly & legally recorded
by the clerk of the above County and Nation as
is more fully shown by copy of affidavit
of the said County Clerk of said County
Which affidavit copy is herewith filed &
asked to be considered as proof of said
Marriage (Marked exibit A.)
And an affidavit showing that said
Miss M. L. Colbert was a Chickasaw Indian
by blood is herewith filed and asked to be
considered as proof of said fact. (exibit B)
Your petitioner further represents that he
has not forfeited his membership to
said Nation & is now entitled to have his
name placed upon the roll to be pre-
pared by your Honorable Commission
Wherefore your petitioner prays that his
Name be placed upon said rolls as a
Member, by Intermarriage, of the Chickasaw
Tribe of Indians

B. F. Lillard

Subscribed & sworn to before me
at Pontotoc I.T. this the 22d day of Aug 1896

Stonewall I.T. Aug 22/1896

Befon the Nat Commission for the Five Civilized Tribes.

In the matter of the application of B. F Lillard for enrollment as a member of the Chickasaw Tribe of Indians

Your applicant B. F Lillard represents to this Honorable Commission that he is entitled to be placed upon the roll of the Chickasaw tribe of Indians for the following reasons to wit-

1st

On the 1st day of December A.D. 1895 he was a citizen of the United States and a white man and a resident of Pontotoc County of the Chickasaw Nation. and on said day was legally Married to Miss M. L. Colbert. who was a member of said Nation and was an Indian by blood being Chickasaw by blood. and a resident of said County & Nation

2d

That your applicant complied with the laws of the said Chickasaw Nation in all respects and was married in the manner & form required by the laws of said Nation and his marriage was properly & legally recorded by the clerk of the above County and Nation as is more fully shown by copy of affidavit of the said County Clerk of said County which affidavit copy is herewith filed & asked to be considered as proof of said Marriage (Marked exibit A.)

And an affidavit showing that said Miss M.L. Colbert was a Chickasaw Indian by blood is herewith filed and asked to be Considered as proof of said fact. (exibit B)

Your petitioner further represents that he has not forfeited his membership to said Nation & is now entitled to have his name placed upon the roll to be prepared by your Honorable Commission Wherefore your petitioner prays that his name be placed upon said rolls as a Member, by Intermarriage, of the Chickasaw tribe of Indians

B. F. Lillard

Subscribed & sworn to upon oath at Stonewall I.T. this the 22d day of Aug 1896

J. G. Chapman
Notary Public

In and for the Southern District of

FRAME 1

[redacted] for

[redacted] matter

of the application of B. F. Lillard for en-
rollment as a member of the Chickasaw
Tribe of Indians

Your applicant B. F. Lillard represents
to this Honorable Commission that he
is entitled to be placed upon the roll of
Chickasaw tribe of Indians for the
following reasons to wit:-

1st

On the 1st day of December A.D. 1895 he was
a citizen of the United States and a white man
and a resident of Pontotoc County of the
Chickasaw Nation. And on said day was legally
married to Miss M. L. Colbert who was a
member of said Nation and was an Indian
by blood being Chickasaw by blood and a
resident of said County & Nation

2d

That your applicant complied with the
laws of the said Chickasaw Nation in all
respects and was married in the manner &
form required by the laws of said Nation and
his marriage was properly & legally recorded
by the clerk of the above County and Nation as
is more fully shown by copy of affidavit
of the said County Clerk of said County
which affidavit & copy is herewith filed &
asked to be considered as proof of said
Marriage (Marked exibit A.)
And an affidavit showing that said
Miss M. L. Colbert was a Chickasaw Indian
by blood is herewith filed and asked to be
considered as proof of said fact. (Exhibit B)
Your petitioner further represents that he
has not forfeited his membership to
said Nation & is now entitled to have his
name placed upon the roll to be pre-
pared by your Honorable Commission
Wherefore your petitioner prays that his
name be placed upon said rolls as a
Member, by Intermarriage, of the Chickasaw
tribe of Indians.

B. F. Lillard

FRAME 2

Subscribed & sworn to before me
at Stonewall I.T. this the 22d day of August A.D. 1896

J. C. Chapman
Notary Public

In and for the Southern District of
The Indian Territory

Recorded Jan. 15= 1896.
Geo. Elliott
Clk

Sworn to and Subscribed before me
This the 19th Day of Aug 1896
J C Chapman
Notary Public
In and for the Judicial Division of

POOR ORIGINAL -
BEST AVAILABLE COPY

R. E. G. Perry
Pontotoc County and Probate Judge
of Pontotoc County Chickasaw Nation
Sworn to and Subscribed before me
This the 19th Day of Aug 1896
J. C. Chapman.
Notary Public
In and for the Third Judicial Division

POOR ORIGINAL -
BEST AVAILABLE COPY

Before the undersigned authority personally appeared Wm L Byrd who first being duly sworn according to law deposes as follows. My name is Wm L Byrd My post office is Stonewall I.T. I am personally acquainted with Mrs B. F Lillard. have known her since she was a child her maiden name was Mary Louisa Colbert. She has always been recognized as a citizen of the Chickasaw Nation her father & mother both being Chickasaw Indians by blood. I further testify that on or about Dec 1st 1898 the said Mary Louisa Colbert was married to Mr B. F. Lillard a citizen of the United States & that they have resided in Stonewall I.T. ever since their marriage & that they were married according to the laws & custom of the Chickasaw Nation.

Wm L Byrd

Subscribed and Sworn to before me
This the 19th day of Aug 1901

J. C. Chapman
Notary Public
Third Judicial Division I.T.

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of B. F. Lillard for Enrollmant
in the Chickasaw Nation.

--: A N S W E R :--

K 2

Filed Oct 16, 1896.
H M Halloway
Secy

4. 1

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

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In the Matter of the Application for Enrollment in the Chickasaw Nation
of B. F. LILLARD.

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First--The Chickasaw Nation admits that Mrs. B. F. Lillard is by blood a Chickasaw Indian, and ~~that~~ [illegible], born of lawful wedlock ~~with the said~~ [illegible] also Chickasaw by blood, and ~~is~~ entitled to be enrolled in said Nation; which right has in no manner been refused by the Chickasaw Nation.

Second--The said Chickasaw Nation admits that the said B. F. Lillard was lawfully married, as alleged, to the said Mrs. B. F. Lillard, nee Colbert, on the date named in said application; it admits that he is entitled to share in such rights and privileges, only, as have been guaranteed to intermarried citizens of the Chickasaw Nation by the laws, constitutions and treaties in force at the date of said marriage; it denies, however, that he is entitled to be enrolled, except as an intermarried citizen; or that he is entitled to share in the proceeds of any annuities or lands belonging to the Chickasaw Nation; and respectfully asks that, in his said enrollment, he be so designated, so that, if the necessity requires in the future, said rights will be defined, and no portion of the property belonging to the Chickasaw Nation will be decreed to him.

All of which is respectfully submitted.

THE CHICKASAW NATION,

By Its Attorneys.

#1147

Ex parte

B. F. Lelland

Denver

FILED SEPT. 30 1896.

A. S. McKENNEY

TO THE HONORABLE DAWES COMMISSION:

Ex Parte J. P. Leland

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

End

1896 chic 248

#48
#1248 D.

Sallie Duncan

vs

Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

Sallie Duncan

No. 248 *vs.*

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of Sallie Duncan to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 4th day of December, 1896.

Jos. W. Pinney Clerk.

#48

No. 248.

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Dallie Duncan

VS.

Chickasaw Nation.

Received and filed this day of

189

Secretary.

SENATOR JOB PRINT FORT SMITH

FEB 3 1897

Clerk.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of Nellie Lumm vs. Chickasaw Nation, as follows:

Application & Evidence	
Answer " "	
Certified Copies entries & judgments	

WITNESS my hand and official seal at Ardmore

this the 5 day of Feby 1897

Jos. W. Phillips
Clerk

End

1896 chic 249

#98

No. 249. D

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

William Duncan

VS.

Chickasaw *Nation.*

Received and filed this *day of*

189.

Secretary.

ELEVATOR JOB PRINT FORT SMITH

FEB 3 1897

Clerk.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Wm Duncan vs. Chickasaw Nation, as follows:

Application & Evidence
Decision " "
Certified Copy entries
& judgment

WITNESS my hand and official seal at Ardmore

this the 3 day of Feby 1897

Jos. A. Proctor
Clerk

#98

249 D.

Wm Duncan

vs

Chickasaw Nation

Order of Appeal

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

Wm Duncan

No. 98 *vs.*

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of Wm Duncan to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 18 day of ~~December~~ Jan., 1897.

Josw. T. Phillips Clerk.

End

1896 chic 250

WHEREAS, it being alleged to the undersigned, Judge of the Circuit Court of the United States for the District of Kansas, that Susan Cooper Edmunds, a citizen of the United States, and a resident of the State of Kansas, is unlawfully restrained of her liberty by Thomas Edmunds, in the county of Shawnee, in said State and District, and that said restraint is illegal, as is more fully set forth in the petition for a writ of habeas corpus, a copy of which is hereto annexed, and made a part hereof;

NOW, THEREFORE, I, the undersigned, Judge as aforesaid, do hereby command you, the said Thomas Edmunds, that you have and produce the body of the said Susan Cooper Edmunds, by you imprisoned and detained, as it is said, together with the time and cause of her imprisonment and detention by you, before me, at my chambers in the city of Topeka, in said District, forthwith, to do and receive what shall then and there be considered by me in this behalf.

Witness my hand and seal this 3rd day of October, A. D. 1887.

D. J. Brewer
Judge of the District Court of the United States for the District of Kansas.

Ex parte
Susan Cooper Edmunds
#250

TO THE SHERIFF OF SHAWNEE COUNTY, KANSAS, OR ANY DEPUTY THEREOF:

It being alleged to me, the undersigned, Judge of the Circuit Court of the United States for the District of Kansas, that Susan Cooper Edmunds, a citizen of the United States, and a resident of the State of Kansas, is unlawfully restrained of her liberty by Thomas Edmunds, in the county of Shawnee, in said State and District, and that said restraint is illegal, as is more fully set forth in the petition for a writ of habeas corpus, a copy of which is hereto annexed, and made a part hereof;

You are therefore commanded to have and produce the body of the said Susan Cooper Edmunds, by you imprisoned and detained, as it is said, together with the time and cause of her imprisonment and detention by you, before me, at my chambers in the city of Topeka, in said District, forthwith, to do and receive what shall then and there be considered by me in this behalf.

Witness my hand and seal this 3rd day of October, A. D. 1887.

D. J. Brewer
Judge of the District Court of the United States for the District of Kansas.

TO THE HONORABLE DAWES COMMISSION:

Ex Parte Susan Carter Edwards et al

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

NB 741
250

Application of

Susie Carter Edwards

and

[illegible] Cauntas Edwards

for enrolment as Citizens by blood of the Chickasaw Nation.

FILED SEPT. 9 1896
A. S. McKENNON
COM'R

Presented by

O. W. Patchell

Paul's Valley

POOR ORIGINAL -
BEST AVAILABLE COPY

Before the S Comission for the Five Civilized Tribes. and Pokahontas.

In the matter of the application of Susie Carter Edwards, applicant for enrollment as a member of the Chickasaw tribe of Indians.

_____, being first duly sworn by me according to law states upon oath that he served a copy of the application, and affidavits, ~~and marriage certificates attached~~ attached or hereto, on the governor of the Chickasaw Nation, ~~Hewitt~~, on the ___ day of Sept. 1896, by delivering to him a copy of all of said above mentioned papers, and that said copies were true and exact copies of the originals of said papers.

H. J. Polk

Subscribed and sworn to before me on this the 9th day of Sept. 1896.

G. R. Adams

Notary Public, Southern District
Of Indian Terr.tory.

I Wyatt. Chigley state that I read a copy of the within papers on R. M. Harris Gov of the Chickasaw Nation.

Wyatt Chigley

~~Sworn~~ Sworn to and subscribed before me this the 9th day of September 1896

G. R. Adams
Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY

United States of America :
The Indian Territey : s c t .
Southern Judicial District :

Before the Commission of the Five Civilized Tribes.

Application of Susie Carter Edwards and her minor child PoKahauntas Edwards.

Your applicant, Susie Carter Edwards respectfully shows that she is the daughter of James and Pokahauntas Dulin; that her mother, Pokahauntas Dulin, now deceased, was a daughter of William and Susan Walner; that her father, James Dulin now deceased, was a white intermarried Chickasaw Citizen and always recognized as such; that her the said James Dulin and Simp Dulin the father and brother of this applicant were enrolled and received their pro rata shares of the Leased District Money and their names now appear upon said roll; that your applicant requested her brother Simp. to have her name registered for the Leased District Payment but he neglected to do so, and her name does not appear upon that roll;

That John Walner, Will Walner and Susie Hill, uncles and aunt of your applicant, are Chickasaw Indians by blood, being the children of Susan Walner , a Chickasaw Indian of the half blood; that the names of John Walner, Will Walner, Susan Hill and her husband John T. Hill all appear upon the roll of citizenshipfor the Leased District payment; that Pokahauntas Edwards is the daughter of your applicant, born in the year 1893, issue of the marriage of your applicant with William Edwards; that your applicant was born in the Chickasaw Nation and has always lived there.

Affidavits are hereto attached as proof of the facts above

stated.

Wherefore your applicants, Susie Carter Edwards and Pokahauntas Edwards, pray that they be enrolled as Chickasaw Citizens by blood.

Susie Easter Edwards

Subscribed and sworn to before me this 7th. day of September 1896.

Claude Weaver

Notary Public in and for the Southern Judicial District of the Indian Territory.

I, Susie Hill, do solemnly swear that I am the wife of John T. Hill, of Paul's Valley, that I am a Chickasaw Indian by blood and enrolled as such on the roll of Citizenship of the Chickasaw Nation; that I am well acquainted with Susie Carter Edwards, the wife of William Edwards; that the said Susie Carter Edwards is the daughter of my full sister, Pokahauntas Dalin, now deceased; that I am well acquainted with Pokahaunts Edwards, and know her to be the daughter of Susie Carter Edwards, born in the year 1893 in the Chickasaw Nation.

Susie Hill.

Subscribed and sworn to before me this 7th. day of September 1898.

Claude Weaver
Notary Public in and for the Southern Judicial District of the Indian Territory.

End

1896 Chic 251

REGISTRY RECEIPT.

Post Office at Duncan B.C.

Registered ~~Letter~~ Parcel No. 7 Rec'd Sept 5 1896

of J P C & H Sampson

addressed to His Excellency Palmer Mosley

Victoria

J Y Middleton P.M.

Duncan, that on
2 packages
Office addressed
Victoria Nelson,
registry receipt No. 7 H
hereto attached is receipt for said package which
Contains two Copies of the application of Celia Ellis,
and copies, virtually in substance and the same, of the
affidavits of D.J. Saunders, Ruth C. Jett, Henry Hatton,
Minerva Powell, Nancy C. Pearce, S.M. Butler, W.W. Ellis
and D.W. Vandike, in support of same, that I
have no interest in the prosecution of this Claim.

J P C Sampson

Subscribed and Sworn to, before me, this the
5th day of September, 1896. And I further certify that
affiant is a creditable person, and that I have
no interest in the prosecution of this Claim.

Notary Public

United States of America
Indian Territory
Southern District } S.S.

I, H. M. Ulverton, do Solemnly Swear, that on the 5th. day of August, 1896. I sent a package registered at The Duncan, I.T. post Office addressed to Palmer Marley, Governor of the Chickasaw Nation, Indian Territory; That registry receipt No. 74 hereto attached is receipt for said package which Contains true Copies of the application of Celia Ellis, and copies, Virtually in substance for the same, of the Affidavits of T.J. Lavender, Ruth C. Jett, Henry Hulson, Minerva Pannell, Nancy C. Pearce, S.M. Butler, W.W. Ellis and D.W. Vandike, in Support of same, That I have No interest in the prosecution of this Claim.

H. M. Ulverton

Subscribed and Sworn to, before me, this the 5th day of September, 1896. and I further certify that Affiant is a Creditable person, and that I have No interest in the prosecution of this Claim.

Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY

United States of America
Indian Territory } S.S.

Be it known, Celia Ellis, Chairman Dawes Commission
Vinita, Ind. Ter.,

Upon petition the undersigned, being duly sworn re-
spectfully states that her name is Celia Ellis
age 51 years, post office address Vinita, Ind. Ter.
and that she is entitled by blood to citizenship in the
Indian territory for the following reasons;

My Grandfather's name was Ben Journigan, My grand-
Mother's name was Pollie Journigan, her Maiden name
was Polly Tom, She was a full blood Chickasaw Indian,
My grand parents raised Eight children, their names
are as follows; William Journigan, Edward Journigan,
Joseph Journigan, Eady Journigan, Celia Journigan,
Cain Journigan, Pollie Journigan, and Ben Journi-
All of whom are now deceased, but the youngest Ben
Journigan, who, if living, would be 78 years of age,
He was, when last heard of, living in Florida,

My Father's name was Ben Barron, My Mother's
name was Celia Barron, She was a full blood
Chickasaw Indian, being the daughter of My grand parents,
Ben and Pollie Journigan;

Applicant (Celia Barron) now Celia Ellis, further
states that she was born in Pontotoc County, Chicka,
And that her family and relationship consists of the
following persons; Myself, Celia Ellis, aged 51 and her
children, to wit;— C. M. Ellis, aged 33 ; L. Ellis, age 29,
Lucy Ellis, age 27, Mary Ellis, age 25, Christopher Ellis, age 23,
Charlie Ellis, age 21, Landon Ellis, age 19, Burnett Ellis, age 17,
Francis Ellis age 15, and Willie Ellis, age 11 years,

And now desires to be enrolled, with each
Member of her family, as Members of the Chickasaw Tribe of
Indians in the Indian Territory,

Your petitioner states that she has not
Contracted for citizenship in said Chickasaw Nation,
and prays that her claim may be investigated by your
honorable body, and that she be adjudged to be a
Citizen of said Chickasaw Tribe of Indians, and entitled
to all the rights and privileges pertaining to such citizenship
in accordance with the laws and treaties made by the
said Tribe of Chickasaw Indians,

Witness My hand this the 22 day of August, 1896

Celia Ellis

Witness,

Subscribed and Sworn to
before me, the undersigned authority, on this the
22nd day of August A.D. 1896. And I Certify that I the
applicant is a responsible and credible person worthy
of belief, and that I am not interested in the matter
to which this application relates.

Witness My hand and seal of office,
on this 22nd day of August A.D. 1896.

J.E. Carr
Notary Public in and For
Bates County Texas.

My Commission Expires,
June 7th 1897.

Charles Ellis
Middle Temple
Gentleman

BANNER PRINT, DUNCAN, I. T.

AFFIDAVIT OF WITNESS.

STATE OF Texas
COUNTY OF Frio

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared T. J. Lavender who after being duly sworn states that he is 52 years of age, and is a citizen of Frio County and State of Texas, and that he is personally acquainted with Celia Ellis

Who is an applicant for citizenship in the Chickasaw Nation, I. T., and affiant further states that the said Celia Ellis is the identical person She represents herself to be in her application for citizenship in said Nation and the said is

Affiant further states that he has known the said Celia Ellis for the past six years and knows that she is and has been recognized and treated by her neighbors, acquaintences and the public generally as a person having Indian blood, and that the complexion and physical appearance of the said Celia Ellis indicate that the said Celia Ellis is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Celia Ellis affiant states he has every reason to believe that the said Celia Ellis is of Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Celia Ellis to citizenship in the Nation, I. T.

T. J. Lavender

SUBSCRIBED AND SWORN TO before me, this 31st day of Aug A. D., 1906, and I further certify that I am well acquainted with the said T. J. Lavender and know him to be a person of credibility and of truth and veracity.

H. H. Fort Justice of Peace and ex officio Notary Public.

My Commission expires on the ____ day of ____ 190 for Frio Co Tex

BANNER PRINT, DUNCAN, I. T.

AFFIDAVIT OF WITNESS.

VALUE OF Texas }
COUNTY OF Bexar }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared Ruth C. Jett who after being duly sworn states that she is 61 years of age, and is a citizen of Bexar County and State of Texas, and that she is personally acquainted with Celia Ellis - (of Frio County Texas)

who is an applicant for citizenship in the Indian Nation, I. T., and affiant further states that the said Celia Ellis is the identical person she represents herself to be in her application for citizenship in said Nation and the said she is

affiant further states that she has known the said Celia Ellis for 7 years and knows that she is and has been recognized and treated by her as such by her family connection and the public generally as a person having Indian blood and has the complexion and physical appearance of the said Celia Ellis indicate that the said Celia Ellis is of Indian blood. That from the above facts and circumstances and from statements made to her by the said Celia Ellis affiant states she has no reason to believe that the said Celia Ellis is of Indian blood.

Affiant further states that she has no interest whatever in the prosecution of the claim of the said Celia Ellis to citizenship in the Chickasaw Nation, I. T.

Ruth C. Jett

SUBSCRIBED AND SWORN TO before me, this 22nd day of August A. D., 1896, and I further certify that I am well acquainted with the said Ruth C. Jett and know her to be a person of credibility and of truth and veracity.

J. Carr
Notary Public.
Bexar County, Texas.

My Commission expires on the 7th day of June 1899.

AFFIDAVIT OF WITNESS.

STATE OF Texas }
COUNTY OF Bexar }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared Henry Hutson who after being duly sworn says that he is 23 years of age, and is a citizen of Bexar County and State of Texas, and that he is personally acquainted with Celia Ellis (of Ariz Comfort Texas) who has applied for citizenship in the Chickasaw Nation, I. T., and affiant further says that said Celia Ellis is the identical person she represents herself to be in her application for citizenship in said Nation and the said

is

he has known the said Celia Ellis's
for 9 or 10 years, and knows that she is and has been recognized and treated by her
relatives and the public generally as a person having
Mongolian blood and from her appearance and physical appearance of the said Celia
Ellis indicate that the said Applicant
is entitled. That from the above facts and circumstances and from statements made to
him by said Celia Ellis, affiant states he has
no reason to believe that the said Celia Ellis is of
Mongolian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim
of the said Celia Ellis to citizenship in the Nation, I. T.

Henry Hutson

SUBSCRIBED AND SWORN TO before me, this 22nd day of August, A. D., 1896, and I further certify that I am well acquainted with the said Henry Hutson and know him to be a person of credibility and of truth and veracity.

J. Carr
Notary Public.
Bexar County Texas

My Commission expires on the 7th day of July 189 7.

State of Texas
County of Bexar

Before me J. C. Carr
a Notary Public for the County
and State aforesaid personally
appeared Minerva Powell who
being by me duly Sworn on her oath
deposes and says - that She is personally
acquainted with Mrs Celia Ellis - being
her Cousin, And knows her to be the
person She represents herself to be
in her application for Citizenship
in Chickasaw Nation I. T. Minerva Powell

Subscribed and Sworn to before
me, this 22nd day of August 1896.

J. C. Carr
Notary Public
Bexar County Texas

My Commission
Expires June 7th
1897

State of Texas
County of Bexar

Before me J C Carr
a Notary Public for the County and
State aforesaid personally appeared
Nancy V. Pearson who being
by me duly sworn on her oath
deposed and say- that she is personally
acquainted with Mrs Celia Ellis-
-being her Cousin, and knows
her to be the person she represents
herself to be in her application
for Citizenship in the Chickasaw
Nation I. T.

Nancy V. Pearson

Subscribed and Sworn
to before me, this 22nd day of
August 1896

J. C. Carr
Notary Public
Bexar County Texas

My Commission
Expires June 2nd
1898

State of Texas
County of Trio

Before me the undersigned a Notary Public in and for the County and State aforesaid personally appeared S. M. Butler who after being duly sworn states that he is 35 years of age and is a Citizen of Trio County State of Texas, and that he is personally acquainted with Celia Ellis who is an applicant for citizenship in the Chickasaw Nation I. T.,

Applicant further states that the said Celia Ellis is the identical person she represents herself to be in application for citizenship in the Chickasaw Nation and Celia Ellis is the mother of C. M. Ellis J. D. Ellis, Lucy Ellis, Mary Ellis, Christopher Ellis, Austin Ellis, Houston Ellis, Burnell Ellis, Fannie Ellis, Hattie Ellis.

Affiant further states that he has known the said Celia Ellis for the past 10 years and knows that she is and has been recognized and treated by neighbors and acquaintances as a person having Indian blood and that the complection and physical appearance of the said Celia Ellis indicate that the said Celia Ellis is of Indian blood, That from the above facts and circumstances and from statements made to him by the said Celia Ellis, affiant states he has every reason to believe that the said Celia Ellis is of Indian blood

Affiant further states that he has no interest whatever in the prosecution of claim of the said Celia Ellis to Citizenship in the Chickasaw Nation I. T.,

S. M. Butler

Subscribed and sworn to before me, This the 31st day of Aug A. D., 1896 and I further certify that I am well acquainted with the said S. M. Butler, and know him to be a man of known reliability, truth, and veracity.

W. H. Fort Justice of Peace
and Ex officio Notary Public
in & for Trio County Texas

State of Texas
County of Bexar

Before me J. H. Carr a Notary Public in and for the County and State aforesaid personally appeared W. V. Ellis of Lilley Fire County Texas, who being by me duly sworn, on his oath deposes and says: that he was personally acquainted with Cairo Jonnigan and knew him to be the son of Ben and Pollie Jonnigan. He knew Ben Jonnigan the father of Cairo Jonnigan, Cairo Jonnigan was my Step father, he married my Mother Lucy Ellis in the Choctaw Nation Alabama.

Affiant further states that he was personally and well acquainted with Ben Barrow - he married Celia Jonnigan a daughter of Ben and Pollie Jonnigan. Celia Jonnigan was my W. P. Ellis Mother, and Ben and Pollie Jonnigan, my wife's Grand parents:

Ben Barrow was my father in law, his wife Celia Barrow was my wife's (now Celia Ellis) Mother - She was of Indian blood, known and treated by all who knew her as such.

Witness my hand and seal this 1st day of Sept A.D. 1896.

W. V. Ellis

Subscribed and sworn to before me this Sept 1st 1896 - and I certify that Affiant is personally known to be a person of credibility responsible and worthy of belief. And that I am not interested in the matter to which the affidavit relates.

Witness my hand and seal of office this the 1st day of September 1896.

J. H. Carr
Notary Public

My Commission expires June 1st 1898

FRAME 1

County of Bexar }

Before me J. A. Lewis a Notary Public in and for the County and State aforesaid personally appeared W. W. Ellis of Dilley Frio County Texas, who being by me duly sworn, on his Oath depose and say: that he was personally acquainted with Cairo Jonnigan and knew him to be the Son of Ben and Pollie Jonnigan. he knew Ben Jonnigan the father of Cairo Jonnigan, Cairo Jonnigan was my Step father, he married my Mother Lucy Ellis in the Choctaw Nation, Alabama.

Affiant further states that he was personally and well acquainted with Ben Barrow - he Married Celia Jonnigan a daughter of Ben and Pollie Jonnigan, Celia Jonnigan was my Wife's Mother, and Ben and Pollie Jonnigan, my Wife's Grand parents:

Ben Barrow was my father in law, his Wife Celia Barrow was my wife's (now Celia Ellis's) Mother - She was of Indian blood, known and treated by all who knew her as such.

Witness my hand and seal this 1st day of Sept A.D. 1896.

Sam Antonio Texas.

W. W. Ellis

Subscribed and Sworn to before me this Sept 1st 1896 - and I - Certify that Affiant - is personally known to be a person of Credibility - responsible and worthy of belief. And that I am not interested in the Matter to which this Affidavit relates.

Witness My hand and seal of office this the 1st day of September 1896.

J. Lewis
Notary Public
Bexar County Texas.

My Commission Expires June 1st 1897

FRAME 2

#1407

Celia Ellis

vs

Chicago and Nation

Filed Sept 7th 1896

A. M. McCammon

Atty

A P Simpson Atty

Same Pl.

State of Texas)
County of Frio)

Before me the undersigned, a Justice of the Peace and exofficio Notary Public in and for the County and State aforesaid personally appeared D.W. Vandyke who after being duly sworn states he is 25 years of age and is a citizen of Lasalle county State of Texas and that he is personally acquainted with Celia Ellis who is an applicant for citizenship in the Chickasaw Nation and affiant further states that the said Celia Ellis is the identical person she represents herself to be in her application for citizenship in the said Nation and the said affiant further states that he has known the said Celia Ellis for the past seven years and knows that she is and has been recognized and treated by her neighbors and acquaintances and the public generally as a person having Indian blood, but having never been known with Indians cannot state as to connection, and physical appearance; and that from the above facts and circumstances and from statements made to him by the said Celia Ellis he has every reason to believe the said Celia Ellis is of Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Celia Ellis to citizenship in the Chickasaw Nation I.T.

D.W. Vandyke

Subscribed and sworn to before me this the 31st day of August A.D. 1896 and I further certify that I am well acquainted with the said D.W. Vandyke and know him to be a person of credibility and of truth and veracity

H.H. Post J.P.
and exofficio Notary Public
in and for Frio Co. Texas

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

IN the Matter of the Application
of James W. Journigan et al
for Enrollment in the Chicka-
saw Nation.

--: A N S W E R :--

Filed Dec 31, 1896.

H. W. Journigan,

by

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

---o---

In the Matter of the Application for Enrollment in the Chickasaw Nation
of James W. Journigan et al

---o---

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without prejudice to, but denying the jurisdiction of this Honorable Commission to pass upon the question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and ever at all times was, citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the petition of the applicants herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached and asks that they be considered as a part of this answer.

W H E R E F O R E , It prys that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application for Enrollment in the Chickasaw Nation

of Celia Ellis Journigan et al

-----o-----

Indian Territory,)
) ss. --: Affidavit of Peter Maytubby :--
CHICKASAW NATION)

Before me, the undersigned authority, on this day personally appeared Peter Maytubby, who, being first sworn, on oath deposes and says My name is Peter Maytubby; I am 59 years of age, and a Chickasaw Indian by blood; I came to the Indian Territory from Mississippi with the Chickasaw Indians in 1837; for the past twenty years I have been census enumerator of the Chickasaw Indians residing in the Choctaw Nation; I am personally acquainted with all of the Chickasaws, and believe that I know all who claim to be members of the tribe either by blood or intermarriage living in this country; I never heard of a Chickasaw by the name of Jon Journigan, or of any Chickasaw family by the name of "Jan," or of any of their descendants until today; I believe that if any such persons had been members of the Chickasaw Tribe, that I would at least have heard of them by tradition; I am satisffed that the claim made by the applicants Celia Ellis and her descendants is fraudulent and fictitious.

Peter Maytubby

Subscribed and sworn to before me on this the 23rd day of October, A. D., 1896.

[illegible]

Notary Public.

Indian Territory,)
) ss.
Chickasaw Nation.)

Before me, the undersigned authority, this day personally appeared C. A. Burris, who, being first duly sworn, deposes and says: My name is C. A. Burris; my age is 67 years, and I am a Chickasaw Indian by blood; I came to this country with the Chickasaw Tribe of Indians in the year 1837, and have lived here ever since; I have been a member of the House of Representatives of the Legislature of the Chickasaw Nation; also a Senator, District Judge, Supreme Judge, and was this year Delegate to Washington in behalf of the Chickasaws; there was a town in Mississippi, called Pontotoc, where the Chickasaws used to hold reunions annually, and I attended them; I never heard of a Chickasaw by the name of Ben Journigan, or of any Chickasaw family by the name of "Van", of of any of their descendants until today; I believe that if any such Chickasaws have been members of the Tribe, that I would at least have heard of them by tradition; I am satisfied that this claim made by the applicants, Celia Ellis, and her descendants, is fictitious and fraudulent.

C A Burris

Subscribed and sworn to before me on this the 21st day of October, A. D., 1896.

[illegible]

Notary Public.

End

1896 Chic 252

#60

No. 2320

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Mary Grunwood

VS.

Chickasaw Nation.

Received and filed this *day of*

189

Secretary.

ELEVATOR JOB PRINT FORT SMITH

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Mary Fleenwood vs. Chickasaw Nation, as follows:

Application & Evidence

Received 2 4

Original Copy enclosed

WITNESS my hand and official seal at Atoka

this the 5 day of Feby, 189 1

Jos. H. Phillips

Clerk

#60
#252 D
Mary Greenwood
vs
Chuck as and [illegible]

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

Mary Greenwood

No. 252 vs.

CHICKASAW NATION.

NOTICE OF APPEAL.

To the Hon. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of Mary Greenwood to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the Hon. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 4 day of ~~December~~ Jan, 1897.

Joseph [illegible] *Clerk.*

#752

TO THE HONORABLE DAWES COMMISSION :

Ex Parte Lucy Underwood Clark

Comes now the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim to citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E , It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that said application is insufficient in that the same shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION.

By Its Attorneys.

End

1896 chic 253

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Martha Ann Goss et al for
Enrollment in the Chickasaw
Nation.

--: A N S W E R :--

Filed Oct 31, 1906,
H. W. Jameson,
Secy.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application For Enrollment in the Chickasaw Nation
of

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein, and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and have at all times been, citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the petition of the applicants herein is entirely without foundation in fact or proof. The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits attached hereto, and asks that they be considered a part of this answer.

W H E R E F O R E , It prays that the applicants be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

Indian Territory,)
) ss.
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared, C. A. Burris, who, being first duly sworn, deposes and says: My name is C. A. Burris; I am 67 years of age, and am a Chickasaw Indian by blood; I came to this country with the Chickasaw Tribe of Indians from the state of Mississippi, in the year 1837, and have lived here ever since said time; I have been a member of the House of Representatives of the Legislature of the Chickasaw Nation; also Senator; District Judge; Supreme Judge, and was this year Delegate to Washington in the interest of the Chickasaws; there was a town in Mississippi, called Pontotoc, where the Chickasaws used to meet every year in a sort of a reunion, and I used to attend them; I never heard of a Chickasaw by the name of "Ben Lewis", "Martha Ann Lee", or "Asa Lee", or of any of their descendants until today; I believe that if any such persons had been members of the Chickasaw Tribe of Indians, that I would at least have heard of them by tradition; I am satisfied that the claim made by the applicants herein is fictitious and fraudulent.

C. A. Burris

Subscribed and sworn to before me on this the 23 day of October, A. D., 1896.

Notary Public.

In the Matter of the Application of _____

-----o-----

Indian Territory,)
Chickasaw Nation.) ss. --: Affidavit of M. V. Cheadle and

-----o----- Peter Maytubby :--

Before me, the undersigned authority, on this day personally appeared M. V. Cheadle and Peter Maytubby, who, being sworn, depose and say: Our names are M. V. Cheadle and Peter Maytubby, our ages are, respectively, 58 and 59 years; M. V. Cheadle says that he is a Chickasaw and Choctaw Indian by blood, and was born and raised in the Chickasaw Nation, and that he has held many important offices under the Chickasaw Government; Peter Maytubby says that he is a Chickasaw Indian by blood, and came to the Indian Territory with the Chickasaw Tribe of Indians from the State of Mississippi in the year 1837, and has been here ever since; that he has been census enumerator of the Chickasaw residing in the Choctaw Nation for the last twenty years. They and each of them further depose and say: We are familiar with all the Chickasaws by blood or otherwise; said Maytubby knows two Ben Lewises, who were Chickasaws, and they are the only ones he has ever known; he never heard of either of them having a sister by the name of Nancy Lewis, through whom these applicants claim; and he believes that if either of them had had a sister by that name, he would have known it or heard of it; he never heard of any Chickasaws by the name of "Lee" or "Goss"; said Cheadle states that he is well acquainted with the witness for the applicant, George Colbert, and that he is not a Chickasaw Indian, and has always been regarded and recognized as a Mexican.

M. V. Cheadle

Peter Maytubby

Subscribed and sworn to before me on this the 23rd day of October, A. D., 1896.

_____ N. P.

TO THE HONORABLE THE BOARD OF

Gentlemen:

I have the honor to submit herewith my opinion upon the following claim:

Claim of Indiana.

Vs.

Chickasaw Nation.

Claim for $ [illegible] for [illegible]

Second--Not sufficient.

Third--Not sufficient.

Fourth--Not sufficient.

Fifth--Not sufficient.

Sixth--Not sufficient.

Seventh--Not sufficient.

Eighth--Not sufficient.

Ninth--Not sufficient.

Tenth--Not sufficient.

Eleventh--Not sufficient.

Twelfth--Not sufficient.

Thirteenth--Not sufficient.

Fourteenth--Not sufficient.

Fifteenth--Not sufficient.

Sixteenth--Not sufficient.

Seventeenth--Not sufficient.

Eighteenth--Not sufficient.

Nineteenth--Not sufficient.

Twentieth--Not sufficient.

Twenty-first--Not sufficient.

Twenty-second--Not sufficient.

Twenty-third--Not sufficient.

Twenty-fourth--Not sufficient.

Twenty-fifth--Not sufficient.

Twenty-sixth--Not sufficient.

Twenty-seventh--Not sufficient.

Twenty-eighth--Not sufficient.

Twenty-ninth--Not sufficient.

Thirtieth--Not sufficient.

Thirty-first--Not sufficient.

Thirty-second--Not sufficient.

Thirty-third--Not sufficient.

Thirty-fourth--Not sufficient.

Thirty-fifth--Not sufficient.

Thirty-sixth--Not sufficient.

Thirty-seventh--Not sufficient.

Thirty-eighth--Not sufficient.

Thirty-ninth--Not sufficient.

Fortieth--Not sufficient.

Forty-first--Not sufficient.

Forty-second--Not sufficient.

Forty-third--Not sufficient.

Forty-fourth--Not sufficient.

Forty-fifth--Not sufficient.

Forty-sixth--Not sufficient.

Forty-seventh--Not sufficient.

Forty-eighth--Not sufficient.

Forty-ninth--Not sufficient.

Fiftieth--Not sufficient.

Fifty-first--Not sufficient.

Fifty-second--Not sufficient.

Fifty-third--Not sufficient.

Fifty-fourth--Not sufficient.

Fifty-fifth--Not sufficient.

Fifty-sixth--Not sufficient.

Fifty-seventh--Not sufficient.

Fifty-eighth--Not sufficient.

Fifty-ninth--Not sufficient.

Sixtieth--Not sufficient.

Sixty-first--Not sufficient.

Sixty-second--Not sufficient.

Sixty-third--Not sufficient.

Sixty-fourth--Not sufficient.

Sixty-fifth--Not sufficient.

Sixty-sixth--Not sufficient.

Sixty-seventh--Not sufficient.

Sixty-eighth--Not sufficient.

Sixty-ninth--Not sufficient.

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Seventy-second--Not sufficient.

Seventy-third--Not sufficient.

Seventy-fourth--Not sufficient.

Seventy-fifth--Not sufficient.

Seventy-sixth--Not sufficient.

Seventy-seventh--Not sufficient.

Seventy-eighth--Not sufficient.

Seventy-ninth--Not sufficient.

Eightieth--Not sufficient.

Eighty-first--Not sufficient.

Eighty-second--Not sufficient.

Eighty-third--Not sufficient.

Eighty-fourth--Not sufficient.

Eighty-fifth--Not sufficient.

Eighty-sixth--Not sufficient.

Eighty-seventh--Not sufficient.

Eighty-eighth--Not sufficient.

Eighty-ninth--Not sufficient.

Ninetieth--Not sufficient.

Ninety-first--Not sufficient.

Ninety-second--Not sufficient.

Ninety-third--Not sufficient.

Ninety-fourth--Not sufficient.

Ninety-fifth--Not sufficient.

Ninety-sixth--Not sufficient.

Ninety-seventh--Not sufficient.

Ninety-eighth--Not sufficient.

Ninety-ninth--Not sufficient.

One hundredth--Not sufficient.

One hundred and first--Not sufficient.

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One hundred and third--Not sufficient.

One hundred and fourth--Not sufficient.

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One hundred and sixth--Not sufficient.

One hundred and seventh--Not sufficient.

One hundred and eighth--Not sufficient.

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One hundred and tenth--Not sufficient.

One hundred and eleventh--Not sufficient.

One hundred and twelfth--Not sufficient.

One hundred and thirteenth--Not sufficient.

One hundred and fourteenth--Not sufficient.

One hundred and fifteenth--Not sufficient.

One hundred and sixteenth--Not sufficient.

One hundred and seventeenth--Not sufficient.

One hundred and eighteenth--Not sufficient.

One hundred and nineteenth--Not sufficient.

One hundred and twentieth--Not sufficient.

One hundred and twenty-first--Not sufficient.

One hundred and twenty-second--Not sufficient.

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One hundred and thirty-sixth--Not sufficient.

One hundred and thirty-seventh--Not sufficient.

One hundred and thirty-eighth--Not sufficient.

One hundred and thirty-ninth--Not sufficient.

One hundred and fortieth--Not sufficient.

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One hundred and sixty-ninth--Not sufficient.

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Four hundred and forty-fifth--Not sufficient.

Four hundred and forty-sixth--Not sufficient.

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Four hundred and forty-ninth--Not sufficient.

Four hundred and fiftieth--Not sufficient.

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Four hundred and sixty-ninth--Not sufficient.

Four hundred and seventieth--Not sufficient.

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Four hundred and eighty-third--Not sufficient.

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Four hundred and ninety-seventh--Not sufficient.

Four hundred and ninety-eighth--Not sufficient.

Four hundred and ninety-ninth--Not sufficient.

Five hundredth--Not sufficient.

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Five hundred and second--Not sufficient.

Five hundred and third--Not sufficient.

Five hundred and fourth--Not sufficient.

Five hundred and fifth--Not sufficient.

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TO THE HONORABLE DAWES COMMISSION:

Ex Parte Marcha Ann Tarvel

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION.

By Its Attorneys.

This is to certify that I have this the 2nd day of Sept. 1896, received a copy of the application of Martha Ann Goss and her two grand children Maggie Paul and Wm. M. Goss, Also a table showing genealogy, sworn to by John Goss and Martha A. Goss, also the affidavit of J.S. Wolf, the affidavit of George Colbert, Affidavit of Lloyd Grantham affidavit of Elizabeth S. Miche affidavit of John Goss,

"As a part of the same record I received a copy of the application of D. F. Goss for himself and two children. Application of Bass Emma Kerr and her four children

Also a table showing genealogy sworn to by Emma Kerr, Also the application of Mrs. Maggie Harper and her daughter. Application of Mrs. Mattie E. Hunt and her three children. Application of Sallie Reburne and her chids. and the application of Donie Reburne

P. S. Mosely Gov.
C.N.

Affidavit of
Lucy A. Grantham

Application of Martha Ann Guss, and Maggie T. Guss, and John M. Guss, her (Martha Ann Guss) two grand children, minors ~~and nephew~~, applying through their grand mother as best friend, for citizenship in the Chickasaw Tribe of Indians.

To the Honorable Chairman and members of the Dawes Commission, this application is respectfully submitted.

Martha Ann Guss, the applicant herein for herself and two grand children named above, being first duly sworn deposes and says on oath:

My name is Martha Ann Guss, my maiden name was Martha Ann Lee, I am 70 years old. My post office address is McGee Ind. Ter. I was born in Copiah county Miss. in the year 1826. My father was named Asa Lee, my grand father was named Jesse Lee. When I was fourteen years old I went to live for two years with my great uncle, Ben Lewis, from whose home I attended school. I know my great uncle, Ben Lewis, was a half breed Indian, and a full brother to my grand mother, whose maiden name was

Nancy Lewis. When I lived with
Ben Lewis he wore long, black hair
according to the Indian custom, and
had all the characteristic features of
an Indian. I was taught from youth up
by Ben Lewis and all the members of my
father's family that I was an Indian by
blood, and that I had gotten this indian
blood from my grand mother Nancy
Lewis (Nancy Lee) who was a half breed
Indian. Jesse Lee and Nancy Lewis,
a half breed Indian, married, and my
father, Asa Lee, was their oldest
child. This made my father one
quarter Indian, his mother being a
half breed. Asa Lee married Martha
Applewhite. They had ten children, five
of whom are still living, namely J. H.
Lee, D. C. Lee, Elisa Walker (married), Mary L. Lee
and myself, Martha Ann Goss, I married John Goss and I have
three living children Emma Kerr, (married),
Maggie Harper (married) and William Henry Goss,
I am one eighth indian, and my children
are one sixteenth, while my grand children
are one thirty-second indian.

My son, J. A. Goss, married Annie
Lewis. They were legally married at the
home of Annie Lewis, for I was there, and,
I know that Maggie T. Goss, and

Jr Tom Myrtle Goss are their
legitimate children born after
the marriage a reasonable time.
J. A. Goss is dead, and his two children
Maggie F. and John Myrtle Goss, and
their mother live in the Chickasaw
Nation.

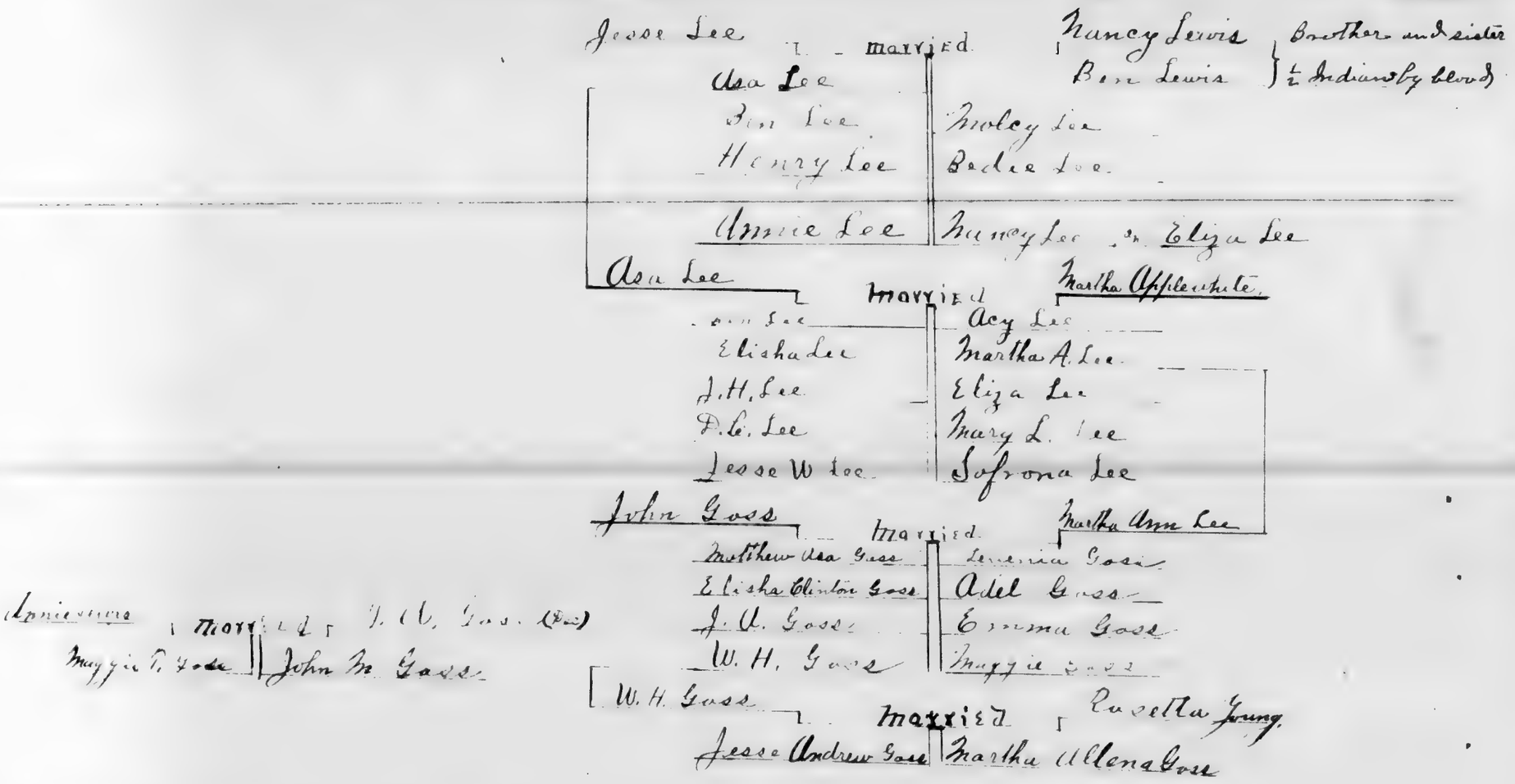
Therefore I respectfully ask that the said
Martha Anne Goss, and her two grand
children Maggie F. and John Myrtle Goss,
and Annie Goss their mother, be admitted
and enrolled as citizens of the Chickasaw
Nation

Martha A Goss

Subscribed And Sworn to before
me on This 3 day of Aug. 1896

W. H. Lucas.
N. P.

Application of
Martha Ann Goss

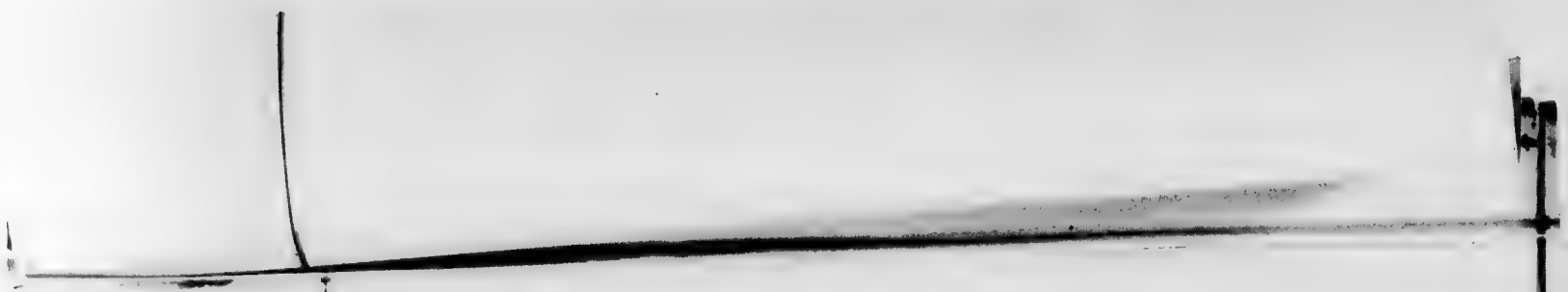


We, certify that this table showing the genealogy of Asa Lee, Martha Ann Lee, W.H. Goss, Jesse Andrew Goss, Martha Allena Goss, Maggie T. Goss and John M. Goss is true and correct.

John Goss Martha A Goss

Subscribed and sworn to before me this 18 day of July 1896

Wm Russell Notary Public



Affidavit of
J. Swaf.

In the Commissioners Court 6th Division Choctaw Nation, Ind. Ter.
Affidavit of George Colbert.

I George Colbert a Chickasaw Indian living near Stonewall on Kiowa Creek Choctaw Nation Before and say:-

My name is Geo Colbert, my age is 56. My post Office is Stonewall I. T.
I know John Goss personally. And have known his wife Martha Ann Lee. For Mrs John Goss ever since I was a boy. I knew her before she came from Miss, as the wife of John Goss. Martha Ann Lee was the daughter of Nancy Lewis's ~~daughter~~ son but I dont remember the name. I saw Martha Ann Lee often at her Grand Mothers Nancy Lewis's in Miss. and it was known generally that Martha Ann Lee was Nancy Lewis's grand daughter. Nancy Lewis died in Miss, Mrs John Goss

is a Cherokee Indian and
the wife of John Goss. They
have some children but
I do not know how
many. They live 5 miles North
of Center I.T. And Martha
Ann Lee and John Goss
have lived together 43
years as husband and
wife and do continue
to live. Geo. his X mark Colbreth
Witness his mark Jesse Cox
Subscribed and sworn to
before me this 20th day
of July 1910.

Isaac C. Courtney
U.S. Comm

State of [illegible]
Carroll County } In the Case Martha
A Gos Claimant for Citizenship in
the Indian Territory

Personly Came this day before
me a Justice of the Peace in
& for said County & State aforesaid
being duly Authorized to Administer
Oaths, Lucy Granthham to me Personly
Well Known to be Respectable & Entitled
to Credit & who being by me first duly
Sworn According to Law Deposes & Says
that my Name is Lucy A Granthham &
that my Age is 75 Years & my Post Office address
is Jefferson that I was a Farmers Wife
by Occupation & am a Citizen of Carroll
County that & Affiant Declares in Relation to the above Named case as follows to
wit that I was Since all aforesaid & with
Affiant I have & Do Daily See
Deceased & the Martha & She Married one Gos in
Carroll County that the Year 1889 & in or
About the Cherokee Nation where they Lived
Lucy A Granthham

Sworn to & Subscribed before
me this 27th day of June 1896
[illegible]

Affidavit of
Lucy A. Grantham

No. 7 4 8.

Application of Dorsie Redwine

"Mrs. Martha Ann Goss and others

vs

Chickasaw Nation

Filed Sept. 3- 1896
A. S. McCombs
Comr.

S. C. Treadwell Atty.
Tishomingo,
I. T.

The State of
Carroll County

[illegible]

[illegible]

[illegible]

Joaquim [illegible]

Elizabeth [illegible]

John Lee the husband of the applicant herein, being first duly sworn deposes and says on oath, my name is John Gaes, age 70. post office address Mc Lee, Ind. Ter. My parents moved to [illegible] when I was six years old & there I first met the applicant herein, Mrs. Martha Ann Gaes, then Martha Ann Lee. I know that Nancy Lewis and Ben Lewis were full brother and sister and that they were Indians of the half blood. When my parents carried me to Miss Nancy Lewis and Jesse Lee were living together as man and wife. I know Asa Lee was one of their sons and that he married Martha Applewhite. they had born to them during their wedded life ten children and I married the eldest girl of the family Martha Ann Lee, in the year 1847, and have lived with her since. Ben Lewis, my wife's great uncle, was looked upon as Miss, as an Indian. He wore long black hair, and had high cheek bones in fact all the characteristic features of an Indian. I lived at Ben Lewis house for about 5 months when I was 10 or 11 years old, one night during my stay there

Jess Lewis came home late, and disturbed a little negro on the place and his wife, Polly, said. "If I had to marry over again a thousand times, I would never marry another half breed Indian, for they wont stay at home with their families."

John Gott

Subscribed And Sworn to before me on This 18 day of July 1896

Wm. Rucker

Notary Public

Unit 1 Letter
Ga

Application of W. H. Goss for himself and his two children, minors, Jesse Andrew and Martha Alena Goss, for citizenship in the Chickasaw Tribe of Indians.

To the Honorable Chairman and members of the Dawes Commission this application is respectfully submitted.

W. H. Goss, the applicant herein for himself and two children, being first duly sworn deposes and says on oath:

My name is W. H. Goss, I am the son of John Goss, and Martha Ann Goss, post office Address, McGee, I.T. The basis of my claim is the same as that of my mother, Martha Ann Goss, whose claim and proff is herewith submitted. I inherit my indian blood through my mother, Martha Ann Goss, my grand-father, Asa Lee, and my great grand mother, Nancy (Lewis) Lee. I married Rosetta Young, and by this wife I am the father of two children, Jesse Andrew, and Martha Alena Goss,

Therefore, I asked to be admitted and enrolled as a citizen of the Chickasaw tribe of Indi
together with my wife

POOR ORIGINAL -
BEST AVAILABLE COPY

Rosetta Guess, and my two children, Jesse Andrew Guess, and Martha Alena Guess.

Wm H. Guess

Subscribed and sworn to before me this 1 day of July 1896.

Wm Lucas

Notary Public

Application of
W. H. Green
for
Citizenship in
the
Chickasaw Tribe
of
Indians

Application of Mrs. ~~R. S.~~ Emma Kerr for citizenship in the Chickasaw Nation.

The applicant being first duly sworn deposes and says on oath,

My name is Mrs. ~~R. S.~~ Emma Kerr, my maiden name was Emma Goss, I am a daughter of Martha Ann Goss and John Goss. My post office address is Eason, Oklahoma Ter. I married my husband in the state of Miss. under the law as it existed at that time. I have four single children Arminta Kerr, Lillie Kerr, William H. Kerr, R. S. Kerr Jr. I claim my Chickasaw blood from my mother whose proof is herewith submitted. The ground of my claim is a claim by blood.

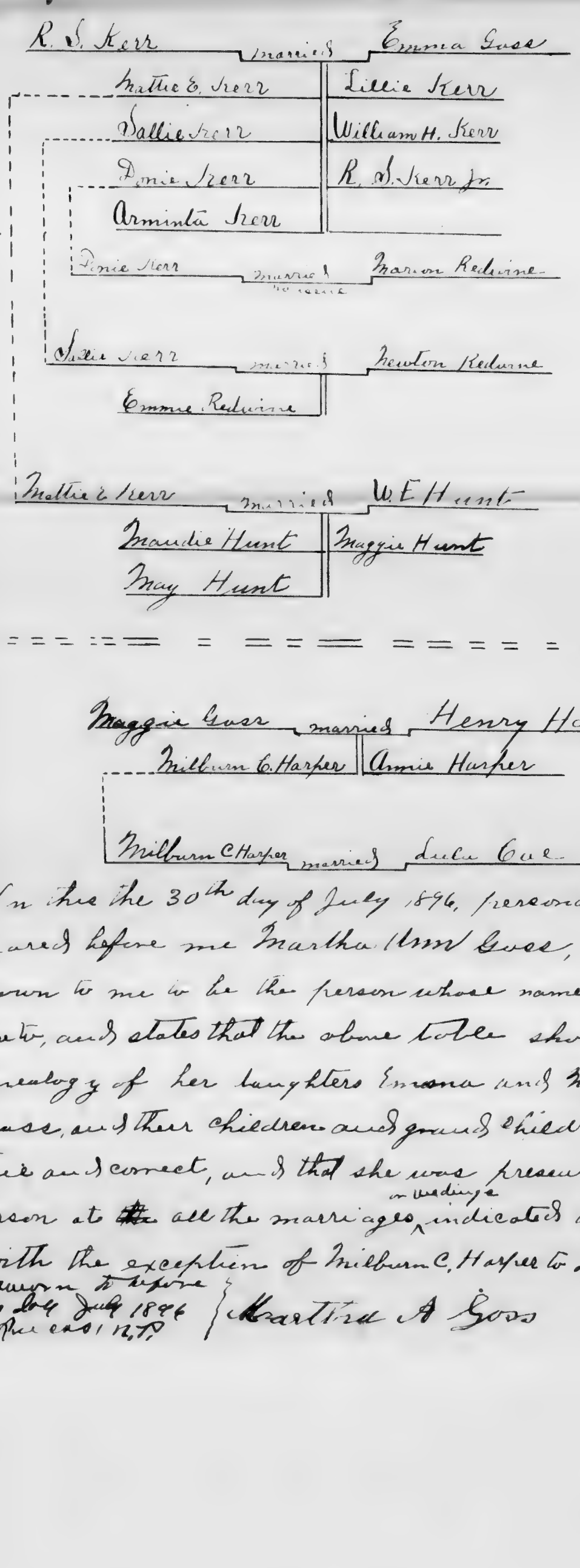
It is, therefore, requested that the said Emma Kerr, and her children Arminta Kerr Lillie Kerr, William H. Kerr, and R. S. Kerr, Jr be admitted and enrolled as citizens of the Chickasaw Tribe of Indians.

Emma Kerr.

Subscribed and sworn to before me this 8th day of July 1896

[illegible]

Notary Public



On this the 30th day of July 1896, personally appeared before me Martha Ann Guss, well known to me to be the person whose name is signed hereto, and states that the above table showing the genealogy of her daughters Emma and Maggie Guss, and their children and grandchildren, is true and correct, and that she was present in person at all the marriages, or weddings indicated above with the exception of Milburn C. Harper to Lula Coe

Subscribed & sworn to before me this 30th day July 1896 Buchanan N.D. } Martha A Guss

Emmie Kerr

I the 8th day of July 1896, personally appeared before me Mrs. Emma Kerr, who being duly sworn, says the genealogy of her self and her children is true and correct, and that the above table showing the genealogy of her children and grandchildren is true and correct, and that she was present in person at all the marriages indicated above with the exception of Milburn C. Harper to Lula Coe

Subscribed & sworn to before me this 8th day July 1896 Buchanan N.D. } Emmie Kerr

Affidavit of
Mrs. Emma Kerr &
Mrs. Martha Ann Gass

Application of Mrs. Maggie Harper and
her daughter Annie Harper, for Citizenship
in the Chickasaw Nation.

The applicant being first duly sworn
deposes and says as follows.

My name is Mrs Maggie Harper,
my maiden name was Maggie Goss,
my post office is Belcherville Texas,
I am a daughter of Martha Ann Goss
and John Goss. I married my husband
in the state of Miss where I lived at
the time of our marriage. We have
one single child, Annie Harper, and one
married child, Milburn C. Harper. I claim
the rights and privileges of a Chickasaw
because I believe I inherit Chickasaw
blood from my mother, Martha Ann
Goss, whose application and proof
is submitted herewith, and to be considered
in connection with this application.

Therefore I ask to be admitted and enrolled
~~as~~ together with my daughter, Annie
Harper, as a citizen of the Chickasaw
Tribe of Indians.

signed. Maggie Harper

Subscribed and sworn to before me
this the 11 day of Aug. 1896.

J. L. Newman
Dep. U.S. Commissioner, Pontotoc Co. Chick

Application of
Maggie & Annie
Harper,

Application of Mrs. Mattie E. Hunt, and her three children, Maudie Hunt, May Hunt, and Maggie Hunt minors for citizenship in the Chickasaw Nation of Indians.

The applicant being first duly sworn deposes and says on oath.

That name is Mrs. Mattie E. Hunt; my maiden name was Mattie E. Kerr, post office McGee, Ind. Ter. I married my present husband W.E. Hunt under the laws of the state of Arkansas where I lived at the time of our marriage. I am a daughter of Mrs. Emma Kerr. I claim a right in Chickasaw citizenship because I believe I inherited Chickasaw blood from my mother, Emma Kerr, and my grand mother, Martha Ann Goss. Therefore, I ask to be enrolled and admitted, together with my children, Maudie Hunt, May Hunt, and Maggie Hunt, minors.

signed. Mattie E Hunt

Subscribed and sworn to before me this the ' day of [illegible] 1896.

[illegible] J. Merrill.

[illegible]

for the Southern District

of the Ind' Ter.

Application -

Mattie E. Hunt and
her three Children

Application of Sallie Redwine
for Chickasaw citizenship.

The Applicant being first duly sworn deposes and says on oath,

My name is Mrs. Sallie Redwine, my maiden name was Sallie Kerr, my post office address is Ft Gay, Ind. Ter, I am a daughter of Mrs. Emma Kerr, I married Newton Redwine according to the law of Oklahoma where I lived at the time of my marriage. I have one child, Emmie Redwine. I claim the rights and priviledges of Chickasaw because I believe I inherited Chickasaw blood from my mother, Emma Kerr, and my grand mother, Martha Ann Goss, whose application and proff is herewith submitted.

Therefore I ask that I be admitted and enrolled ~~and admitted~~, together with my child who is yet under age, as a citizen of the Chickasaw Nation.

signed Sallie Redwine

Subscribed and sworn to before me this the day of 1896.

William H. Mcleod
Notary Public

Done at my office at McAlester I.T. for the Southern District of the Ind. T.,

Applications of
Sallie Redwine and
Emmie Redwine
her Child

Application of Mrs. Dorie Redwine for
Chickasaw Citizenship.

The applicant being first duly
sworn deposes and says on oath,

My name is Mrs. Dorie Redwine,
My maiden name was Dorie Kerr,
The ground of my claim is that I am
a Chickasaw Indian by blood to the
best of my knowledge and belief. I
claim my blood as an inheritance
through my mother, Mrs. Emma
Kerr, and my grand mother,
Mrs. ~~Emma~~ Martha Ann Goss.
whose application and proof is
herewith presented. I married my
present husband, Marion Redwine, in
Oklahoma, according to the law of
my domicile, or according to the law
of the country in which I lived at the
time of our marriage.

Therefore, I ask to be enrolled as a
citizen of the Chickasaw Nation.

signed Dorie Redwine

Subscribed and sworn to before me
this 4 day of Oct. 1906.

William G. McCoy
Notary Public

Seal of office
My Com. Ind. Ter.
for the third District
of the Ind. Ter.,

End

1896 Chic 254

#58
#254

J.E. Goldsby et al

vs

Choctaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

J. E. Goldsby et al

No. 254 *vs.*

NOTICE OF APPEAL.

CHICKASAW NATION.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of J. E. Goldsby et al to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 4 day of ~~December~~ Jan, 1897.

Joseph Kelly Clerk.

#458

No. 257.

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

J. E. Goldsby Et al

VS.

Chickasaw Nation.

Received and filed this day of

189.

Secretary.

ELEVATOR JOB PRINT FORT SMITH

FEB 3 1897

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

J. E. Goldsby vs. Chickasaw Nation, as follows:

Application & Evidence	
Dem., Ans., " "	
Certified Copy citation	
& judgments	

WITNESS my hand and official seal at Atoka

this the 5 day of Feby 1897

Jos. C. Plunkett

Clerk

754

Ex Parte

John E Yardley et al

Petitioner

30

TO THE HONORABLE DAWES COMMISSION:

Ex Parte _____

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E , It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

End

1896 Chic 255

Mrs Brenda Meiers

vs

The Chickasaw Nation

No 3852

FILED SEP 8

A. S. M[illegible]

Com[illegible]

Application

Denied

Order No 1

J P Connor

Pauls Valley Okla

REGISTRY RECEIPT.

Post Office at Atoka I T

Registered ~~Letter~~ Parcel No. 79 Rec'd Dec 15 1896

of Mrs M Brenda Nichols ~~Copeland~~
Atoka I T.

addressed to Gov. P. S. Mopeley Gov Chickasa
Tishomingo I T.

[illegible] P M.

United States of America,Central
District of the Ind.Ter.

I,Fredrick Hartshorn ,do solemnly swear that on the 8th day of Sept 1896,I saw a package registered at Atoka Post Office in the Choctaw Na tion addressed to Gov.Palmer S.Mosley as govenor of the Chickasaw Nation at Wapanucka I.T..That the registry receipt No92 received from post master J.L.C.Pate hereto attatched is a receipt for said package,which contained true Copies of the application,of M Brenda Nichols and affidavit of Jno N. Hadge and copies of Marriage license and marriag certificate in support thereof

Fredrick Hartshorn

Subscribed and swern to before me this 8th of Sept.1896.

Jos L Reid
Notary Public for above district
and Territory.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of Mrs Ella Brenda Nichols Chickasaw Applicant for enrollment as a member of the ~~Choctaw~~ Tribe of Indians.

YOUR APPLICANT Mrs Brenda Nichols, respectfully represents to this Honorable Commission that she is a regularly recognized member of the ~~Choc~~ Chickasaw ~~taw~~ Tribe of Indians of the ~~Choctaw~~ Chickasaw Nation and is entitled to be placed upon the rolls, to be prepared by this Honorable Commission as a member of the Choctaw Tribe of Indians on the following grounds, to wit:

1st. There is no true and perfect roll of the members of the ~~Choctaw~~ Chickasaw Tribe of Indians and no law or authority for the ~~Choctaws~~ Chickasaws to make such a roll.

2nd On the 17 day of Oct 1895 your applicant was a white woman and a citizen of the United States and on said day was legally married to S. W. Nichols, who was then and is now a regularly recognized member by blood, of the ~~Choctaw~~ Chickasaw Tribe of Indians, a copy of the marriage certificate & License is hereto attached and marked Exhibit "A," and made a part hereof.

That there was ~~not~~ then & is there now, any law of the ~~Choctaw~~ Chickasaw Nation authorizing the issuing of a marriage license and it was and now is the established custom for ~~Choctaw~~ Chickasaw men to marry white women without a license from the ~~Choctaw~~ Chickasaw Nation and by such marriage white women become members of the ~~Choctaw~~ Chickasaw Tribe of Indians and are so recognized by the ~~Choctaw~~ Chickasaw authorities. your applicant was married in the Choctaw nation and attaches hereto copies of marriage license & Affidavit

Your applicant files herewith the affidavit of as additional proof of the citizenship of said S. W. Nichols and the custom among the Choctaws and asks to be placed upon the rolls as a member of the ~~Choctaw~~ Chickasaw Tribe of Indians. Ella Brenda Nichols

Subscribed and sworn to before me this the 8th day of Sept 1896

Jos G Rolls

Notary Public for the Central District of the Indian Territory.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
Mrs M. Bruda Nichols Applicant for
enrollment as a member of the ~~Choctaw~~ Tribe of Indians

BE IT REMEMBERED That on this the 8th day of Sept 1896,
personally appeared before me the undersigned authority
Jno M Hodges who having been by me first duly sworn according
to law states on his oath as follows:

"I am 46 years old, I am a resident of Atoka county of the
Choctaw Nation and a recognized member of the Choctaw Tribe of Indians. I have known
Mrs M Bruda Nichols Chickasaw and her husband, J M. Nichols ~~for~~ about all their lives
her husband is a member, by blood, of the ~~Choctaw~~ Tribe of Indians and was such at the time he
married. M Bruda Nichols Chickasaw, I knew his father and mother and they
were recognized members of the ~~Choctaw~~ Tribe of Indians, Mrs. M Bruda
Nichols has ever since her marrige been a recognized member of said
Tribe.

At the time of Mrs M Bruda Nichols' marriage to J M. Nichols Chickasaw
it was the custom among the ~~Choctaws~~ for Indian
men to marry white women without a license and license was not granted. That custom still
prevails and white women who marry Indian men become members of said Tribe

Jno M Hodges

Subscribed and sworn to before me this the 8th
day of Sept 1896.

Jos L Rabb

Notary Public for the Central District of the Indian Territory.

No. 811.

Marriage license.

United States of America,

Indian Territory, SS.

Central District.

You are hereby commanded to solemnize the rite and publish the Banns of Matrimony between Mr. S. W. Nichols of Atoka in the Indian Territory aged 27 years and Miss M. B. Copeland of Atoka in the Indian Territory aged 19 years, according to law, and do you officially sign and return this license to the parties therein named.

Witness my hand and official seal this 8 day of Oct. A. D. 1895.

P. B. Stoner,

seal. Clerk of the U. S. Court.

Certificate of Marriage.

United States of America,

Indian Territory, S.S.

Central District.

I, R. W. Officer, a Minister of the Gospel, do hereby certify that on the 18th day of October, A. D. 1895, I did duly and according to law, as commanded in the foregoing license, solemize the Rite and Publish the Banns of Matrimony between the parties therein named.

Witness my hand this 18th day of October, A. D. 1895,

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book page——

R. W. Officer,

A Minister.

No 3857

In re

M. Brenda Nichols

vs

Chickasaw Nation

Answer

Filed 3/1/46

In re—
M. Brenda Nickels

The Chickasaw Nation
denies the citizenship of
the applicant and says
that the proof of applicant
shows that if he husband
is a Chickasaw which
it denies. Yet applicant
was not married to him
in accordance with laws
of the Chickasaw Nation
then in force and is
therefore entitled to no
rights as an intermarried
citizen.
Wherefore it prays that
applicant be rejected
Chickasaw Nation
By its Atty.

End

1896 chic 256

7099

File No. .....

Office No.

Under a. Edsell

v.

Edwin Jones

APPLICATION FOR CITIZENSHIP.

Denied

FILED

9/9/96

H. M. Jacoway

Attorneys for Applicant.

Ryan, D. J.

APPLICATION FOR CITIZENSHIP.

United States of America, Indian Territory, ss.

THE HON. HENRY L. DAWES, CHAIRMAN DAWES COMMISSION, VINITA, I. T.

Your petitioner, the undersigned, being duly sworn on her *oath, respectfully states that* her *name is* Martha A Stilwell, *age* 49 *years. post office address* Ryan Indian Territory, *and that* she *is entitled by* blood *to citizenship in the Indian Territory for the following reasons:*

That she is a member of the Chickasaw Tribe of Indians by blood Her mother being a member of said tribe and was a McLaughlin Her father and mother are dead

That her *family and relationship consists of the following named persons:* My,

M A Stilwell age 49 years, and 8 children, as follows:

Thos Stilwell	aged	24	years	
Laura Tritt	"	22	"	Married
John Stilwell	"	20	"	
Ida Frost	"	18		"
Susan Stilwell	"	14		
Maggie Stilwell	"	12		
James Stilwell	"	10		
Willie Stilwell		7		

And respectfully asks to be enrolled, together with each member of her *family, as a member of the* Chickasaw *Indians in the Indian Territory.*

Your petitioner states the above facts as the lawful grounds of her *application for citizenship in the said* Chickasaw *Nation, and prays that* her *claim may be investigated by your honorable body and that* She *be adjudged to be a citizen of said* Chickasaw *Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties made with the said Nation of Indians.*

WITNESS my hand, on this 2nd *day of* September 1896.

Martha A Stilwell

Witnesses:

M F Newton

SUBSCRIBED AND SWORN TO before me, the undersigned authority, on this the 3rd day of September 1896, and I certify that the Applicant is a responsible and creditable person worthy of belief, and that I am not interested in the matter to which this Claim relates.

WITNESS my hand and seal of office on this 3rd day of September 1896.

O E Roland

Notary Public

No 7049

Jun

Martha A. Stilwell

et al

Chickasaw Nation

Answer

Filed 10th Nov

In re. Martha A. Stidwell et al

The Chickasaw Nation ex cepts to the application herein because the same is unsupported by sufficient testimony.

For answer it says that the applicant is not a member of the Chickasaw Tribe of Indians by blood or otherwise and it prays that they be rejected

Chickasaw Nation

By its Attys.

affidavit of Jane

[illegible]

before me the undersigned
a Notary Public in and for the County
and State aforesaid personally appeared
Charles Burt
[illegible] who being duly sworn
[illegible] deposes
and says that he is a citizen of the
United States and that
he resides at [illegible]
that he is acquainted with
Mr. M. Stilwell [illegible] and
has known him for [illegible] years
that he is a citizen of the Chickasaw
Nation and affiant further states that
he is informed by the said Mr. Stilwell
that he is the identical person
who made application for citizenship in said nation
and the said Mr. Stilwell is ~~now~~ ~~about~~
~~to~~ ~~go~~ ~~to~~ ~~the~~ ~~Choctaw~~ ~~Nation~~ ~~or~~ ~~has~~ ~~gone~~
of in the Chickasaw Nation and further
states that he has known the said
Mr. Stilwell for the past twelve
years and knows that Stilwell has
been recognized and treated by
his neighbors acquaintances and the public
generally as a person having the rights of
an Indian blood and that the complexion
and physical appearance of the said
Mr. M. Stilwell indicates that the said
Mr. M. Stilwell is of Indian blood
and from the above facts and circumstances
and from statements made to me by the said
Mr. Stilwell affiant states that he has
no reason to believe that the said
Mr. Stilwell is of Indian blood

and decendants of the McLaughlin
family Affiant further States that neither
has interest whatever in the location
of this claim of the said Mc Shull
or citizenship in the Chickasaw Nation &c.

C. T. Kirk

Subscribed and sworn to this the 4th
day of September 1877

P. E. Noland
Notary Public

End

1896 chic 257

Chickasaw Nation
Indian Territory
Southern District

James C Moore Personally appeard before me the undersigned authority and after being duly sworn by me Deposes and says on his oath that he is the Son of Mary Jane Moore her maiden name was Tenallin and my grand mothers maiden name was was Vallie Steel my grate grand mothers name was Henderson I Claime to be one Sixteenth Chickasaw Indian by Blood for which I make application to the Dawes Commission for Citizenship as there is Evedence to Prove that my ancestors were Chickasaw Indians by Blood I also have 2 Children Calmen and Elma Moore

James C Moore age 27-
Okla Ty

Subscribed and Sworn to before me
for which I Set my hand and seal this
the 21 day of Aug. A. D. 1896

John F West
Notary Public

6584

Norway Arm Road

J. C. Jones et al

vs

Cherokee Nation

FILED SEPT. 9 1896.

A. S. McKENNON

COM'R.

Decree

Center J.T.

Chickasaw Nation
Indian Territory
Southern District

Victor Butler Personally appeared before me the undersigned authority and on his oath states That he is the Son of Nancy ann Butler the grand Daughter of Sallie steel maiden name Sallie Henderson the said Victor Butler is the grate grand son of Sallie steel who was one half Chickasaw Indian By Blood and the said Victor Butler states that he is the father of one Child Carey lee Butler 1 month old

Signed Victor Butler age 24

Dale Okla. Ter.

Subscribed and sworn to before me for which I set my hand and seal this the 4 day of Aug 1896

John T. Adair
Notary Public

TO THE HONORABLE DAWES COMMISSION:

Ex Parte *Hannah Ann Sutterfield*

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that the said application be dismissed

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION.

By Its Attorneys.

#1757

Ex parte,

Nancy Ann Sutherland

Dennis

FILED SEP 30 1930.
CLERK SUPREME COURT.

REGISTRY RECEIPT.

Post Office at Center I T

Registered Letter / Parcel } No. 42 Rec'd Sept 7, 1896

of J. F. Wall

Center I. T.

addressed to the governor of the

Chickasaw nation Tishomingo

W H Jones, P. M.

REGISTRY RECEIPT.

Post Office at Center, I. T.

Registered Letter / Parcel } No. 43 Rec'd Sept 7, 1896

of J. F. Wall

Center I. T.

addressed to the governor of the

Chickasaw nation Tishomingo

W H Jones, P. M.

I — J. W. Long. do Solemnly Swear
that on the 7 day of Sept. 1896
I James L Partridge requested at the
Postoffice at Center Ind Ter.
addressed to the Governor of the
Chickasaw Nation Tishamingo Ind. Ter,
That registered receipts No. 426 & 434 ~~& 444~~
received from Postmaster here to
attached is receipts for said Packages
which contains true copies of the
applications of Sarah C Ralston
Nancy Ann Butler Johnathan Butler
Nancy Butler William P Moore
Jennie C Moore Celia Dolie and
T. Ida Tunallen and Parker adkins
and the affidavits of William and
Emma Tunallen and Elizabeth
Taylor in support of there Claims

Subscribed and Sworn to
before me this the 7 day of
Sept 1896

Wm. Lou. Long
Not — Pub

Chickasaw Nation
Indian Territory
Southern District

I certify personally appeared before me the undersigned authority and after being duly Sworn say and on Thereath Deposes and Says that Elis Henderson was the mother of Jno Tecumseh and Mrs Lucy was the mother of Mrs. Lunallen and Mrs Lunallen was the mother of Mary and Betsy Butler and Sarah Butler has a children whose Name and age is as follows Jonathan age 22 Victor age 24 George Edmonds age 20 Thomas Lenman age 15 William Miller age 12 and Sarah Butler age 5

Signed William Lunallen age 52
Mary Lunallen " 70

Sworn to and subscribed before me for which I set my hand and seal this the 27 day of Aug. A. D. 1896

John F. West
Notary Public

This is to certify that there was a correct copies of the above Depositions sent to the Governor of the Chickasaw Nation Yours Respectfully
John F. West N. P.
Center Ind. Ter.

Cherokee Nation
Indian Terr.
Southern District

Personally appeared before me the undersigned authority living among us Mary Ann Butler who after being duly sworn on her oath says that her maiden name was Mary Ann Sunshine and she was one Eighth Cherokee Indian by Blood and that her mothers name maiden name was Steel and she was one fourth Cherokee Indian by Blood and that her grand mother name was Steel her maiden name was Henderson and she was one half Cherokee Indian by Blood and her grate grand mother name was Henderson and she was a full Blooded Cherokee Indian and I have 6 Children named and age as follows Johnathan 26 years old Victor 24 years old George Edmonds 20 years old Thomas Simon 15 years old Hilton Willis 12 years old and Walter A. Butler 5 years old and my 2 oldest sons Johnathan and Victor Butler are both Married for which I make application to the Dawes Commission for enrollment for myself and Children

Signed Mary Ann Butler

Subscribed and sworn to before me for which I set my hand and seal this the 27 day of aug. A.D. 1896

John D. Hoyt
Notary Public

Chickasaw Nation
Indian Territory
Southern District

Johnathan Butler personally appeared before me the undersigned authority and on his oath states that he is the Son [illegible] Butler who is the Grand Daughter of Pallie Henderson the late grand mother of [illegible] Butler the said Pallie Henderson was one half Chickasaw-Indian by Blood and the said Johnathan Butler is the father of children names and ages as follows Pearl Nora age 2 years Amanda age 1 month old

Signed Johnathan Butler
Center I. T.

Subscribed and Sworn to before me this 4 day of Aug. 1896

[illegible]
Notary Public

Chickasaw Nation
Indian Territory
Southern District

to whom these Presents comes greeting this is to ~~Certify~~ Certify that I Solemnized the rites of Matrimony between A. J. Lewis and Miss Sarah E. Embry this the 25 day of May 1879

Signed C. P. Wherry Judge of the 4 Judicial Division Chickasaw Nation Ind. Ter.

and recorded by H Godfrey July 3rd 1879 on Page 25 for which I Certify the above is a correct copy of the written transaction in Matrimony with Mrs. Sarah E. Embry then Sarah E. Lewis now the wife of J. T. Roberson Sealed the above Contract in her Possession and Subscribed and Sworn to before me for which I Set my hand and Seal this the 27 day of Aug. A.D. 1896 John T West Notary Public

Southern District
Indian Territory
Chickasaw Nation

Mrs. Sarah E. Roberson Personally appeared before me the undersigned authority Deposes and Says that she is the person who was joined in Matrimony with the said A.J. Lewis who was a three quarter Chickasaw Indian by Blood on the 25 day of May 1879 and that I have by him now living 3 Children whose names and age is as follows Annitie 16 years old William Martin 14 years old and Dookie Lewis 13 years old for which I make application to the Dawes Commission for enrollment for myself and Children as Citizens of the Chickasaw nation

Signed Sarah E Roberson

Subscribed and Sworn to before me Center this the 27 day of Aug. A.D. 1896 John T West Notary Public

FRAME 1

Chickasaw Nation
Indian Territory
Southern District

Elizabeth Taylor Personally appeared before me the undersigned authority after Being Sworn by me Deposes and Says on her oath that she is a three quarter Chickasaw Indian by Blood on the 25 day of May 1879 and that she had now living 3 Children by the said A.J. Lewis whose names and age is as follows Annitie 16 years old William Martin 14 years old and Dookie 13 years old whose

Lewis

a three Quarter Chickasaw Indian by Blood
on the 25 day of May 1879
and That I have by him now living 3
Children whose names and age is as follows
Annie 16 years old William Martin 14 years old
and Dashie Lewis 13 years old
for which I make application to the Dawes
Commission for enrollment for myself
and Children as Citizens of the Chickasaw nation

Signed Sarah E. Embry

Subscribed and Sworn to before me this 27 day of
Aug. A.D. 1896 John F. West
Notary Public

Chickasaw Nation
Indian Territory
Southern District

Elizabeth Taylor Personally appeared before me
the undersigned authority after Being Sworn
by me Deposes and says on her oath that
she was Present and saw Sarah E. Embry
now Sarah E. Ralston Married to A.J. Lewis
who was three Quarter Chickasaw Indian
by Blood on the 25 day of May 1879
and That she had now living 3 Children
by the said A.J. Lewis whos names and age
is as follows Annie 16 years old William Martin
14 years old and Dashie 13 years old whos
maiden names are Lewis

Signed Elizabeth Taylor age 46

Subscribed and Sworn to before me
for which I set my hand and seal this
the 27 day of Aug. A.D. 1896
John F. West
Notary Public

FRAME 2

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Nancy Ann Ralston et al for
Sarah E. Ralston
Enrollment in the Chickasaw
Nation.

--: A N S W E R :--

F. Ind Ter. 31, 1896.

H. M. Jacoway,
Sec'y.

In re -

Nancy Ann Battie et al

The Chickasaw denies the citizenship by blood of the applicants, and says the evidence is insufficient to show such citizenship. It attaches two affidavits showing that no such persons as the ancestors claimed under were ever known or heard of as Chickasaws. Wherefor it prays that the applicants be rejected

Chickasaw Nation
By Ed Alty.

In the Matter of the Application of ~~Mary Jane Moore et al~~

---o---

Indian Territory,)
) ss. --: Affidavit of W. P. Murray :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared W. P. Murray, who, being first sworn, deposes and says: My name is W. P. Murray; I am 77 years of age, and have resided in the Indian Territory ever since 1866, and have been in the Chickasaw Nation since 1870; I am a practicing lawyer in the Indian Courts; I have been Attorney General of the Chickasaw Nation; District Judge, County Judge, Delegate to Washington in the interest of the Chickasaws, and have been intimately acquainted with the affairs of the Nation for the past 35 years.

I never knew or heard of any Chickasaws by the name of "Steele" or "Lewallen", or "Henderson", either by blood or otherwise, and think if there ever had been any such Chickasaws, who claimed to be such by blood or intermarriage, I would have heard of them.

W. P. Murray

Subscribed and sworn to before me on this the 25th day of October, A. D., 1896.

Notary Public.

In the Matter of the Application for Enrollment in the Chickasaw Nation

of Mary Jane Moore et al

-----o-----

Indian Territory,)
) ss. Affidavit of B. F. Kemp.
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared B. F. Kemp, who, being duly sworn, on oath, deposes and says: My name is B. F. Kemp; I am a Chickasaw Indian by blood, and am 63 years of age; I came to this country from the state of Alabama in the year of 1837; I have been District, County Judge, Senator, Legislator, and have held other important offices under the Chickasaw Government; I am familiar with the Chickasaws by blood and intermarriage; I never knew or heard of any Chickasaws by the name of "Steele", Lewallen", or "Henderson" either by blood or otherwise, and think if there ever had been such persons, who were Chickasaws by blood or intermarriage, I would have heard of them.

B. F. Kemp

Subscribed and sworn to before me on this the 26th day of October, A. D., 1896.

W. H. Dixon

~~Notary~~

Notary Public.

End

1896 Chic 258

Application

Elijah J. Edwards

Filed Sept 7 1894

Application

Denied

AFFIDAVIT OF WITNESS.

In the matter of petition and memorial of Eliza J. Edmunds

for admission to citizenship in the Chickasaw Nation.

State of Indian Terry }
County of Atoka } SS

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Samuel Berry who, after being by me duly sworn, states: That he is 84 years of age, and a resident of the State of Chickasaw Nation and County of Pontotoc and his post office address is Wiley I. T.; that he is personally acquainted with Eliza J. Edmunds who is an applicant for Citizenship in the Chickasaw Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

that he is Personally acquainted with ~~Elizabeth~~ Eliza J. Edmunds nee vaughn and Knew her Grand father Turner Harris who was a half breed Chickasaw. Turner Harris being Eliza J. Edmunds Mothers father and Knew Eliza J. Edmunds father Thompson vaughn and Knew him to be a Chickasaw Indian by blood

Affiant further states: That he has known the said Eliza J. Edmunds for the past 44 years, and knows that ..... has been and is recognized by ..... neighbors, acquaintances and the public generally as having ..... Indian blood, and that the complexion and physical appearance of the said Eliza J. Edmunds indicate that she is of Chickasaw Indian blood and descent. Affiant further says, that from the above facts and circunstances, and from what he has heard and knows of the family of the said Eliza J. Edmunds he believes the said Eliza J Edmunds to be a descendent by blood of the Chickasaw Indian tribe, and a lineal descendent of the said Turner Harris

witness Samuel his + mark Berry

Subscribed and sworn to before me this 2nd day of September, 1896

E. J. Ball
NOTARY PUBLIC.

My Commission expires Nov 20th 1899

Estate #258

Eliza J. Evans dec'd

Estate of Eliza J. Evans dec'd

TO THE HONORABLE DAWES COMMISSION:

Ex Parte Eliza Edmonds

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E, It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

No Inv

Eliza J. Edwards

vs

Chickasaw Nation

Answer

In re.

Eliza J. Edwards et al

The Chickasaw Nation excepts to the application herein because the same does not show by sufficient evidence that they are entitled to Citizenship.

2.

It says that no such person as the applicant was ever known or heard of as a Chickasaw, and no such Chickasaw as Turner Harris has ever lived in the Chickasaw Nation or has ever been heard of before. It submits herewith the affidavit of Overton Love in support of this answer. It further alleges that the witness who is used to support applicants Claim is a notorious liar a negro whose general reputation for truth and veracity is bad, and it refers to the various affidavits of reputable citizens attached to answers on file, showing this fact.

Wherefor it prays that the applicant be rejected.

Chickasaw Nation
By its Atty

Inc

Elijah J. Edwards

vs

Chickasaw Nation

Answer

Filed Nov 14-1896

In re.

Eliza. J. Edwards et al.

Overton Love being sworn on oath states that he is 73 years of age, is a Chickasaw by blood and has resided in the Chickasaw Nation since 1843. That he has been acquainted with the Chickasaws all his life, has held many important offices. He has ~~ever~~ never known or heard of the applicant before, and he is satisfied that if any Chickasaw had ever lived in the Chickasaw Nation by the name of Jane Harris he would have at least known or heard of them.

Overton Love

Subscribed & sworn to before me this Nov 17 1896.

O D Merrill

Notary Public

My commission Expires March 6th 1899.

(a Copy)
by

P. H. Hatton
Affidavit

(a Copy)

Chickasaw Nation Ind Ter
Third Judicial Division
This day personally appeared
before me. P. H. Hatton. and after
being sworn by me deposes
and says, That I am acquainted
with Eliza D. Edwards, she is a
daughter of Norcian Harris
and a granddaughter of Turner
Harris.

P. H. Hatton

Subscribed and sworn to
before me this the 5 day of Sep
1896

R. F. French
Notary Public
My commission expires Nov 10. 98.

Application for Enrollment

Before the United States Commission to the five Civilized Tribes of Indians

Eliz o. J. Edwords
born Vaughn Petitioner
U.S.
Chickasaw Nation
Respondent

To the above named Honorable Commission Your petitioner Eliz o. J. Edwords states that Turner Harris was a Chickasaw Indian by blood was duly recognized by the proper authorities as such in the Chickasaw Nation and enjoyed all the rights, privileges, benefits and immunities of other Chickasaw Indians by blood in the said Chickasaw Nation or Tribe of Indians, and that the name of the said Turner Harris appears or should appear upon the authentical Rolls of the said Chickasaw Indians. That the Petitioner is a lineal descendant of the said Turner Harris. The applicant Eliz o. J. Edwords (born Vaughn) is a daughter of Thomas Vaughn and Narcissa Vaughn (born Harris) the said Narcissa Vaughn (born Harris) being a daughter of Turner Harris who was a half breed Chickasaw Indian by blood the said Eliz o. J. Edwords (born Vaughn) was married in 1874 to L. A. H. Edwords a white man to whom was born one child Joseph Edwords. That under the constitution laws usages and customs of the said Chickasaw Nation or Tribe of Indians and the laws of the United States and Treaties with said Indians Your said Petitioner is Entitled to be Enrolled and admitted as a citizen and member of the said Chickasaw Tribe of Indians in the Indian

Territory and Entitled to all the rights
benefits privileges and immunities of other
Chickasaw Indians by blood

That there are now living legal descendents
of your said petitioner one person Joseph Edwards
a son and 21 years of age Wherefore the
premises considered your petitioner prays that
her name with with that of her said descendent
Joseph Edwards be placed upon the rolls with
the Chickasaw Tribe of Indians and in support
of said claim herewith submits the affidavit
of Samuel Perry

The petitioner Eliza J. Edwards
says that the statements set forth in the above
and foregoing petition are True according to her
best knowledge, information and belief

Eliza J. Edwards

Sworn and subscribed to before me
this 2nd day of Sept. 1896

E. J. Bell
N.P.

End

1896 chic 259

No

Jane
Elgania Woods
vs
Nicholas Wolfe

Answer

Filed March 1896

In re. Application of

Elzarica J Shaads.

Comes now the Chickasaw Nation and excepts to the application & proof herein because it shows that the applicant is a bastard whose mother was a negro.

2

For answer, the Chickasaw Nation alleges that applicant is not a citizen of the Chickasaw Nation. That she is a negro bastard as shown by her mothers evidence (See aff. of applicant & Lillie Jones) It further alleges that she has no rights as a Chickasaw Freedman if any they have.

It further alleges that if applicants father was a chickasaw yet she can not be adjudged such, because the laws of the Chickasaw Nation determine citizenship of bastards according to the blood of the mother. (Applicant was married to a negro)

Wherefore it prays that applicants be rejected.

Chickasaw Nation
By its atty

Elzania Woods
Statement

Chickasaw Nation Ind. Ter.
Third Judicial Division.

Your petitioner Elzaria Woods would most respectfully make the following statement upon which I base my claim to citizenship in the Chickasaw Na. Ind. Ter.

I am twenty three years of age; I was born at Tishomingo Ind Ter., in 1873, and have lived in the Chickasaw Nation all of my life. My father's name was Colberton Harris., his father, my grandfather's name was Si. Harris who at one time was Gov. of the Chickasaw Na. My father, Colberton Harris, was a full blood Chickasaw Indian. I remember my father well, he has been dead about 13 years. He died on Pennington Creek and was buried there. I was married in 1890 at Wiley Ind. Ter. to Charley Woods, and have one child living, one year old. I am a Chickasaw Indian by blood. My mother is a negro.

Elzaria Woods

Subscribed and sworn to before

me this the 3rd day of Sept
1896.

R. F. French
Notary Public

My Commision expires Nov 16. 1898

Edgar M. Woods
Statement

Celie Fletcher

Affidavit

Chickasaw Nation 2nd Ter
Third Judicial Division
On this the 3rd day of Sep. 1896
personally appeared before me
W. F. Tench a Notary Public in
and for the above named Division
Celie Fletcher who on oath
makes the following statement
I am about Fifty (50) years of
age, my post office is Willis I.T.
I am a Chickasaw freed woman
freed and born in the Chickasaw
Nation. I knew Colbertson Harris
well, he was a full blood Chickasaw
Indian, I was also acquainted with
Le Harris the father of Colbertson
Harris. he was a full blood
Chickasaw Indian. I have heard
Colbertson Harris say that
Elzania Harris (now Woods) was
his daughter. and judging from
the general appearance of Elzania Harris,
(now Woods) would say that she is a
Chickasaw Indian by blood
I have made this affidavit without
fear or favor.

her
Celie + Fletcher
mark

Sworn and subscribed to before

me this the 3rd day of Sep 1894

R. S. Franklin

Notary Public

my Commision expires Nov 14. 1898

Carlie Hutchison

A. J. Linhart

Thomas Greenwood
Affidavit

Chickasaw Nation Ind. Ter.
Third Judicial Division

This day appeared before me, the undersigned authority, Thomas Greenwood to me personally well known and after being sworn by me deposes and says: I am 70 years of age. My post Office is Wiley Ind. Ter. I came to the Nation with the Chickasaws from Miss. when I was about 5 or 17 years of age. and have been live ever since. I knew Si Harris he was a full blood Chickasaw Indian. I knew his son Colbertson Harris. Colbertson Harris was the father of Elzaria Harris (now Woods) I have known Elzaria (Harris) Woods all of her life and know her to be a Chickasaw Indian by blood.

his
Thomas x Greenwood
mark

Subscribed and sworn to before me this the 3rd day of Sept. 1896

R F French
Notary Public

My Commission Expires Nov 16-1898

REGISTRY RECEIPT.

Post Office at Emst D

Registered Letter / Parcel } No. 60 Rec'd 9 – 3 189 6

of G Eeeis

aus Leeen

addressed to Gov Museu

Kapernaka G

J G. Medgyes

Myrtle Burton
Affidavit

Emet Ind. Ter.

I, Myrtle Burton, do solemnly swear that on the 3rd day of Sept. 1896 I saw a package registered at the post office at Emet Ind. Ter. addressed to Gov. Mosley, Gov. of the Chickasaw Nation Ind. Ter. at Wapanucka Ind. Ter: that regis by receipt No. 60 received from the postmaster here to attached is a receipt for said package which contained three copies of the application of Elzaria Woods, and ~~application~~ of the affidavits of Lethi Jones, Celia Fletcher and Thomas Greenwood in support of same.

Myrtle Burton

Subscribed and sworn to before me, on this 3rd day of Sept. 1896

R F French
Notary Public

My Commission expires Nov 16-98

Lettie Jones
Affidavit

Chickasaw Nation Ind. Ter.
Third Judicial Division.

This day appeared before me the undersigned authority, Lettie Jones to me personally well known and after being duly sworn by me deposes and says: I am about 60 years of age: my post office is Wiley Ind. Ter. I have lived in the Territory all of my life. I am the mother of Elzaria Harris (now Woods) her father was Colbertoon Harris, who was a full blood Chickasaw Indian. My daughter married Charley Woods in 1890. I was a slave and belonged to Elzaria Wolf.

her
Lettie L. Jones
mark

Subscribed and sworn to before me this the 3rd day of Sept. 1896

4732 202

Application of
Elvira Woods
Elisa J Eldridge for
Enrollment with the
Chickasaw Tribe of
Indians,

Filed 9/2/26
M. M. Jourway
Secy

Rejected
Wapanucka,
Ind. Ter.

United States of America Dist of the
Indian Ter. Wm Albert having
been by me first Duly Sworn
according to Law, stated on his oath
that on the 5th Day of September
1896. he delivered to Gov. P. D. Mosely
Governor of the Chickasaw Nation
at his Office a true copy of the
application of Eliza J. Edwards
which is heretofore attached to-gather
with a true copy of the affidavit of
William Sam Petrus and C. L. Hatton
both are which hereto attached
affiant states that he is over 21
years of age and is not Interested
in this application and is not
related to the applicant.

William A. Albert

Sworn to & subscribed to
before me September 5th 1896.
E. J. Ball
Notary Public
for the Central District
Ind Ter

End

1896 Chic 260

#50
#260 D

N. H. Norman

vs.

Chicago R. I. & P.

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

N. A. Norman

No. 260 *vs.*

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of N. A. Norman to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 4 day of December, 1896.

Jos. W. Thurman *Clerk.*

#450

No 910

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

N. H. Norman

VS.

Chickasaw *Nation.*

Received and filed this ... *day of*

189

Secretary.

ELEVATOR JOB PRINT FORT SMITH.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

N. A. Herman vs. Chickasaw Nation, as follows:

Application & Evidence
Answer " "
Certified Copies entries
& judgment

WITNESS my hand and official seal at Ardmore

this the 5 day of Feby 1897

Jos. M. Jacoway
Sec'y

-Copy-

Department of Justice.

United States Court in the Indian Territory.

Southern District.

C. M. Campbell, Clerk. Ardmore, Ind. Ter., Feb. 1, 1902.

The Commission to the Five Civilized Tribes,
Muskogee, Ind. Ter.

Gentlemen:

I hereby acknowledge receipt of your letter dated January 29th relating to the judgment in Chickasaw Indian Citizenship case No. 50.

I enclose herewith the substituted record, which after examination, kindly return to this office.

The following entries were made in this case in this court:

Jan. 4, 1897, Notice of appeal filed.

Jan. 4, 1897, Order directing the Dawes Commission to transfer the papers to this court.

Feb.4, 1897, Papers filed consisting of an answer, six affidavits, and order admitting N.H. Norman.

June 23, 1897, Master's report filed.

July 3rd, '97 Exceptions to Master's report filed.

Mar. 12, '98, Continued.

Mar. 22, '98, Continuance set aside.

June 2, 1900, Dismissed.

June 6, 1900, Order to substitute papers, and papers substituted.

June 6, 1900, Judgments rendered, admitting N. H. Norman.

This case was appealed by the Nation for the purpose of rejecting

the application of N. H. Norman, who had been admitt d by the Commission.

I beg to remain,

Very respectfully,

C. M. CAMPBELL,

Clerk.

Docket entries in Chickasaw Citizenship

Case No. 50.

Jan. 4, 1897, Notice of appeal filed.

Jan. 4, 1897, Order directing the Dawes Commission to transfer the papers to this court.

Feb. 4, 1897, Papers filed consisting of an answer, six affidavits, and order admitting N. H. Norman.

June 23,1897 Master's report filed.

July 3, 1897, Exceptions to Master's report filed.

Mar. 12, 1898,Continued.

Mar.22, 1898, Continuance set aside.

June 2, 1900, Dismissed.

June 6, 1900, Order to substitute papers, and papers substituted

June 6, 1900, Judgments rendered, admitting N. H. Norman.

This case was appealed by the Nation for the purpose of rejecting the application of N. H. Norman, who had been admitted by the Commission.

COPY.

To the Honorable Dawes Commission,

Vinita, I. T.

Gentlemen:-

Yur petitioner, Nelson H. Norman, sates that he is a resident of the town of Wynnewood, Chickasaw Nation, Indian Territory, and that he has resided in the Indian Territory since the year 1870, and that he was legally married to Susan James, a citizen of the Chickasaw tribe of Indians, by blood, on the first day of August 1875 in the Chickasaw Natioh Indian Territory, at Tishomingo, according to the laws and customs of the Chickasaw Nation; that said Susan James was the widow of Joe James, and the daughter of Captain John Anderson; that the said Susan James obtained a divorce from your petitionerin the district court at Tishomingo, about January 1876; and that your petitioner was legally married to Alice E. Harrison, on the 2nd day of December 1877 according to the laws and customs of the Choctaw Nation; and that as a result of said marriage there has been born to them five children whose names and ages are as follows to-wit: Bonnie R. Norman, aged seventeen years (17), Stanley Norman aged fourteen years(14), Elzada G. Norman, aged twelve years (12), Ben H. Norman, aged six years (6) , and William W. Norman, aged four years (4); that all of said children are now living.

Wherefore your petitioner prays that he and his said wife, Alice E. Norman, and thier said five children be enrolled as citizens of the Chickasaw Nation, and that they be given all other proper relief.

Respectfully,
(Signed) Nelson H. Norman.

Subscribed and sworn to before me this the .....day of September 1896.

.....
Notary Public.

Endorsed on back as follows:

Application of Nelson H. Norman, Alice E. Norman, Bonnie R. Norman, Stanley Norman, William W. Norman, Elzada G. Norman and Ben H. Norman for citizenship in the Chickasaw Nation.

COPY

Indian Territory,
Southern District.

Josiah Brown being duly sworn says: I am sixty years of age and reside at Tishomingo in the Chickasaw Nation, Indian Territory; I am a citizen of the Chickasaw Nation by blood and am acquainted with Nelson H. Norman and have known him about twenty five years. I was acquainted with his Chickasaw wife, Susan James and knew her to be a citizen of the Chickasaw Nation by blood; she was the widow of Joe James who was a citizen of the Chickasaw Nation by blood, and was the daughter of John Anderson who was a full blood Chickasaw Indian. I solemnized the rites of matrimony between the said Nelson H. Norman and his Chickasaw wife Susan James, at Tishomingo Indian Territory on or about the first day of August 1875, according to the laws of the Chickasaw Nation Indian Territory; I was cheif Justice ofthe Chickasaw Nation at that time I solemnized said marraige between the said Nelson H. Norman and the said Susan James; I know that Nelson H. Norman was recognized by the officials of the Chickasaw Nation as a citizen of said nation. He was duly appointed, commissioned and served as clerk of the Supreme Court of the Chickasaw Nation two terms and one term as clerk of the District Court of the Chickasaw Nation.

I know that he was run as a candidate for National Jailer before the Chickasaw Legislature during Governor William Guys administration and that he came within three voted of being elected.

He served on juries in the courts of the Chickasaw Nation and wad allowed to vote in all elections up till the inter married citizens were disfranchised; he is now living in the Chickasaw Nation, at Wynnewood Indian Terrtory and has been living in said Nation ever since I first knew him. I was a member of the Chickasaw citizenship committee appointed by the

Chickasaw Legislature about the year 1887, when the said Nelson H. Norman's citizenship was investigated by said Committee and know that a citizenship certificate was issued to him.

Subscribed and sworn to before me this the day of 1897.

Master in Chancery.

COPY

Tobucksey County, Choctaw Nation.
Indian Territory, Dec. 2nd,
1877.

To whom it may concern:

This is to certify that I did, on this 2nd day of Dec. 1877, unite in marriage Mr. Nelson H. Norman and Miss Alice E. Harrison, according to the laws and customs of the country.

J. A. Trenchard, minister of
the gospel.

and missionary to the Choctaw Indians under appointment from the American Baptist Home Mission Society of the City of New York.

AUDITORS OFFICE

J. W. Harris, Auditor. Chickasaw Nation,
Tishomingo, I. T. August 12, 1887.

Hon. N. H. Norman,

Dist Clerk, C. N.

Sir: Your report to hand after careful examination I find an error of ($30.00) Thirty dollars. Trusting that you may correct yor mistake,

I am very respectfully,

J. W. Harris,

Auditor C. N.

---}----------

Office of Dist Judge,
Tishomingo City, C. N.
Oct. 8th, 1887.

Hon M. H. Norman,
Dist Clerk, C. N.

Sir: You will please turn over to the county clerk of the different county all books and papers belonging to their respective counties, as provided for by late act of legislature and oblige,

Yours respectfully &c,

W. H. Jackson,

Dist. Judge, C. N.

Tishomingo, Chickasaw Nation,

Indian Territory,

We, the committee, on citizenship after a careful examination of the evidence submitted in the case of Nelson H. Norman decide that he is entitled to all the rights of a Chickasaw citizen. Given under our seal this Nov 18th , 1887.

Attest: P. Goldsby, Clerk.

J. Brown,

Wm. Hawkins,

H. H. Burris,

Committee.

Also a certificate from the National Secretary of the Chickasaw Nation showing that your petitioner herein, Nelson H. Norman, was on the Chickasaw roll of 1893. That said certificate was signed by said National Secretary and showed the page and book upon which said name appeared. That your petitioner is unable to give a copy of said certificate but the same was in substance that your petitionrt's name appeared upon the Chickasaw roll of members of the Chickasaw tribe of Indians of 1893. That the original certificate was filed with the papers in this action and with the master in chancery, and your petitioner now has no copy of said certificate in his possession.

Endorsed on back:

50

Nelson H. Norman

v

Chickasaw Nation.

Substituted Record

Filed
U. S. Court

June 9 1900
C.M. CAMPBELL, Clerk.

End

1896 Chic 261

3217—

James Ivy
Lorenzo Ivy
and Author
Ivy's Statements

Chickasaw

Filed Sept 9-1896
A M McKennon
Clerk

by F Ellis
Ernest D.C.

Chickasaw Nation Ind. Ter
Third Judicial Division.
To the Hon. Dawes Commission-

Your petitioners James Isaiah Ivy, Lorenza Price Ivy and Arthur Lidney Ivy would most respectfully submit the following statement of facts upon which we base our rights to Citizenship in the Chickasaw Nation Ind. Ter. Our grandfathers name on our fathers side is, or was Isaiah Ivy, who was a full blood, Chickasaw Indian; he, our grandfather left Miss: in or about the year 1831 and came with his Tribe as far as black river in Ark. and there took sick and died. our father is now living in the State of Texas. we state that to the best of our knowledge and belief, that we are Chickasaw Indians by blood we have never made application for Citizenship before.

James Isaiah his x mark Ivy.
Lorenza Price his x mark Ivy.
Author Lidney his x mark Ivy.

Subscribed and sworn to before me
this the 28th day of Aug 1896
R D French
Notary Public
My Commission expires Nov 16-1898

321/9
Lease Ivy
Lot 3 Sec 9 Ivy
and Cattins
Ivy & Stanwix

Chickasaw

Filed Oct 9-1896
A M McKamm
Comm

by F Ellis
Ernest
Ivy

Tomiza Dow Loy
Affidavit

Rejected

State of Tex.
Rains County } Aug. 31st. 1896

This day personally appeared before me one Lorenzo Dow Ivy. after being by me sworn testifies To the following. My fathers name was Isaiah Ivy, who was a Chickasaw Indian by blood. My recollection is that my father and family left Mississippi together and with the Indians. My father took sick and died on the road and that he never drew any lands in Mississippi prior To there To my Knowledge. James Ivy, Lorenza Ivy. and Author Ivy are my legal sons.

(Signed) Lorenza Dow Ivy.

This day personally appeared before me Lorenza Dow Ivy with whom I am personally acquainted and made oath that the above and foregoing affidavit is True To the best of his knowledge and belief, so help him God.

aug 31st 1896.

(Signed) J. M. Jennings. Justice of Peace and ex Offico Notary Public

I hereby Certify that the foregoing is a true Copy of Lovenza Dow Ivy's affidavit, as sworn to before J. B. Jennings - J. P. in Rains Co. Tex.

Witness my hand and seal This the 3rd day of sept 1896

R. F. French.

Notary Public

No - 3219

In re.
James Long et al
vs
Cherokee Nation

Filed Nov 9 - 1896

Rejected

In re-
James Ivy- et al

The Chickasaw Nation excepts to
the application herein because
applicants have no evidence
to support their claim to citizenship

2

Because they show their non residence

3rd

Because they show facts which
are contradictory to history in that
they claim their ancestor emi-
grated with the Chickasaws from
Miss in 1831. when no Chickasaw
left or ever resided in
the nor nation Earlier than
1837.

For answer.
The Chickasaw Nation denies
the citizenship of applicants
either by blood or otherwise
Whereof it prays they
be rejected.

Chickasaw Nation
By its Attys.

End

1896 chic 262

In re.
Application of D. F. Goodwin

The Chickasaw Nation excepts to the application herein because it is not supported by sufficient evidence.

2

For answer, the Chickasaw Nation denies that the applicant is a citizen by intermarriage with Mary C. Moore. She not being a Chickasaw by blood or otherwise.

3rd

The Chickasaw Nation alleges that the facts (if the applicants statements are true) of Mary C. Moore was a half breed Chatlaw and he was not a Chickasaw. It further alleges that the said Mary C. Moore was a bastard, and according to its best information was also a negro. It attaches the affidavit of Judge Overton Lane in support of this answer. Wherefore it prays that said applicant be rejected

Chickasaw Nation
By its atty

In re.
Application of D. F. Gaudevin

Affidavit of O. Lare —

Overton Lore being duly sworn on oath states that he is 73 years of age and is a Cherokee by blood. That he was well acquainted with S. B. Moore the alleged father of applicants wife. He was a half uncle of mine. His father was a white man and his mother a full blood Cherokee. He was never married that I ever heard of. and I knew him until his death. I never heard of his having a daughter by name of Mary C Moore. I believe that this Mary C. Moore is a negro but I don't know. She must be a bastard in any Event

Overton Lore

Subscribed & sworn to before me this 17th day of Nov. 1896.

O Allen
Notary Public

My Commission
Expires Mch 6th 1899.

No [redacted]

In re
Application of
D. F. Jamison
vs
Choctaw Nation

Answer

Filed Nov 12: 96

Before the United States Dawse Commission,
to the five civilized tribes of Indians,
in the Indian Territory.

D. F. Goodwwin,petitioner.
Vs.
[redacted].
The Chickasaw Nation,respondent.

Application for enrollment in the Choctaw Nation.

To the Honorable United States Dawse Commission,sitting at Vinita Indian Territory.
Comes now your petitioner D. F. Goodwin,a white inter_married citizen of the Chickasaw Nation,and for enrollment herein alleges and says :
That on the 15 day of March in the year of 1877 said petitioner was legally married to Lucy Mary O'Kane a Chickasaw Indian by blood and whose name appears upon the duly authenticated Rolls of the said Chickasaw Nation in the name of Mary O'Kane and that she has always been treated as a citizen and her right has in no way been disputed.
That the evidence of the foregoing facts relied upon are hereto attached marked exhibit " A " B " C " and made a part hereof.
Wherefore petitioner prays that he be enrolled as a citizen of the said Chickasaw Nation,with all the rights,priviliges and immunities,that are now given or granted to an Indian of said Nation by blood.

D. F. Goodwin

Subscribed and sworn to before me on this the __ day of September 1896.

W. T. Hocott

Notary Public.

Cole & Redwine
Attys for petitioner

No 1819

D F Goodwin
vs
Cherokee Nation

Filed Sept 7-1894
A S McKennon
Comm

Receipt

Application Denied

C

Indian Territory,) Exhibit " B " .

Central Judicial District.) Affidavit of _____

Affiant _____ of lawful age being duly sworn deposes and says :

I, am well acquainted with the petitioner D. F. Goodwin. He is a white intermarried citizen of the Chickasaw Nation.

The said petitioner married Miss _____ a Chickasaw Indian by blood in the year of 18__, and her name appears upon the authenticated Rolls of the said Chickasaw Nation. The said _____ is a Daughter of S. B. Moore a Chickasaw Indian by blood.

_____

Subscribed and sworn to before me on this the __ day of September 1898.

_____

Notary Public.

Indian Territory, $
$
Central Judicial District. $

Exhibit " A " .

Affidavit of George G Bonds

Affiant George G Bonds of lawful age being duly sworn deposes and says :

I, am well acquainted with the petitioner D. F. Goodwin. He is a white Inetar-married citizen of the Chickasaw Nation.

The said petitioner married Miss Mary C Moore in the year of 18 or about the year of 1888 she was a Chickasaw ~~Freedman~~ Indian by blood,and her name appeared upon the authenticated Rolls of the said Chickasaw Nation. The said Mary C Moore was a Chickasaw Indian by blood,and the daughter of S. B. Moore,a Chickasaw Indian by blood.

I, am familiar with the laws and customs of the said Chickasaw Nation at ~~the~~ the time of said marraige and the law did not require ~~the~~ any license at ~~the~~ said time for the inter-marriage of white men in said Nation.

George G Bonds

Subscribed and sworn to before me on this the 4 day of September 1899.

H L Lincoln

Notary Public.

REGISTRY RECEIPT.

South [illegible] Ter.

Post Office at 1896

Registered { Letter / Parcel } No. 256 Rec'd 189

of Ox Redwine

D F Gardner

addressed to P A Moseley

Watsonville Cal

M A Potter P. M.
Santa

Indian Territory,

Central Judicial District.

I, ~~I. T. Black~~ C R Stearley, do solemnly swear, that on the 4,th day of September ~~1896~~ 1896, I, saw a package or letter, registered at the Post office at South McAlester Indian Territory, addressed to ~~Jefferson Gardner~~ P. S. Mosely, Principal Chief of the ~~Choctaw~~ Chickasaw Nation, ~~Englotown~~ Tishomingo I. T. That Registery receipt No 256. received from the Post Master, hereto attached, is a receipt for said package or letter, which contained true Copies of the application of [redacted] and the affidavits of [redacted] in support of same.

D. P. Gordon & Green & Bond

C R Stearley

Subscribed and sworn to before me on this the 4,th day of September 1896

Frankie Cole

Notary Public.

End

1896 Chic 263

No 2924

Filed Sept 23 1891

H.M. Jaeckaway

Clerk

Application Denied

P.O. Purcell I.T.

No 29714

In Chancery

Filed Sept 13 1876
H.M. Jacksonway
Clk

Application Denied

P.O. Purcell I.T.

Hamilton & Carter
Attorneys for
Applicants

United States of America
Indian Territory
Northern District.

I, Dorset Carter, a citizen of the United ~~Stat~~ States, and a resident of Purcell, Indian Territory, aged twenty-two years, by occupation an Attorney-at-Law, being duly sworn, make oath a d state;- That at _____ Indian Territory, on the 3rd day of September A.D.1898, I served a copy of the within application of Blanche Bradley

~~and exhibits "A", "B" and "C" thereto attached~~, and the affidavits of Martin Colbert

upon Palmer L. Mesbog, the Principal Chief or Governor of the Chickasaw Nation, by delivering the same to him in person

Dorset Carter

Subscribed and sworn to by Dorset Carter, before me a Notary Public in and for said District, in said Territory, this the 8 day of September A.D.1898.

Myra Young
Notary Public in and for the Northern District of the Indian Territory.

United States of America
Indian Territory
Southern District.

Before me the undersigned authority, this day personally appeared Martin Colbert, who being by me duly sworn according to law depeses and says; My name is Martin Colbert, I am 46 years of age, my post office is Purcell,Ind.Ter, I reside in the Chickasaw ation Indian Territory. I am well and personally acquainted with Winter P.Bradley I was acquainted with his wife Texana Bradley during her life time,she was my sister, they were married in the Indian Territory,Chickasaw Nation according to the laws and customs then prevailing among the members of said Tribe of Indians , and lived together as husband and wife until the said Texana Bradley departed this life. Texana Bradley was a 1/4 q blood Chickasaw Indian, and was a duly recognised and enrolled member of said tribe of Indians, her maiden name was Texana Colbert. After the marriage as aforesaid the said Winter P.Bradley and his wife Texana Bradley were duly recognized and enrolled members and citizens of the Chickasaw Tribe of Indians, and they both shared as other member of said tribe in the distribution of the funds of the Chickasaw tribe of Indians. That on the 16 day of July 1898 the said Texana Bradley departed this life, and that thereafterwards towit on the ___day of _____189__, the said Winter P.Bradley intermarried with one Matilda Bossette in Cloud County Kansas, according to the laws of said state, and there was born unto the said Winter P.Bradley and Matilda Bradley, a female child named Blanche Bradley now 2 years of age. I am a Chickasaw Indian by blood, and am a competent witness to testify in citizenship matters before the Courts of the Chickasaw Nation.

Witness my hand this the 22nd day of August A.D.1898.

Witness _____

_____

Subscribed and sworn to by Martin Colbert before me this the 22 day of August A.D.1898.

Dorset Carter
Notary Public in and for the Southern District of the Indian Territory

United States of America
Indian Territory
Southern District,

Before the Honorable Commission to the five civilized tribes in the Indian Territory.

In the matter of the enrollment of Blanche Bradley as a member and citizen of the Chickasaw Tribe of Indians.

-:APPLICATION:-

The aforesaid ap lication hereby makes application to your Honorable Commission to be enrolled as a member and citizen of the Chickasaw Tribe of Indians and states;

1st:-

That on the or about the 1st day of September A.D.1898, Winter P. Bradley, and Matilda Bossette were legally married at Concordia, Cloud County Kansas, and lived together as husband and wife until about the _____day of _____A.D.1900, when the said Matilda Bradley departed this life. The said Winter P.Bradley is now and was at the time of the said marriage a member and citizen of the Chickasaw Tribe of Indians, and duly recognised as such, being a citizen by virtue of marriage with one Texana Colbert a one-fourth blood Chickasaw Indian. That the said Texana Colbert departed this life on the 16 day of July 1892 long prior to the marriage. That there was born unto the said Winter P.Bradley and Matilda Bradley nee Bossette, in lawful wedlock, the applicant herein Blanche Bradley, a female now 2 years of age, who appears in this cause by her father and natural guardian Winter P. Bradley. Wherefore premises considered applicant prays that she be enrolled as a member and citizen of the Chickasaw Tribe of Indians.

W P Bradley

Indian Territory
Southern District.

I, Winter P.Bradley, do solemnly swear that I have read the above and foregoing application and know the contents thereof, and the facts therein stated are true. Witness my hand this 22 day of August A.D.1900.

W P Bradley

Subscribed and sworn to before me this the 22 day of August A.D.1900.

Robert Carter

Notary Public in and for the Southern District of the Indian Territory.

No 2794

In re

Blanch Bradley

vs

Chickasaw Nation

Answer

Filed Oct 31-1896

Brief of Evidence
for Petitioner -
Chickasaw Nation
Filed Oct 31 1896

In re.

Blanche Bradley—

The Chickasaw Nation excepts to the application herein because the same shows that Applicant is not a citizen by blood, marriage or adoption of the Chickasaw Nation

2.

Because the evidence shows that father of applicant, who was an intermarried citizen, has since 1890, remarried to a white woman in violation of the laws of the Chickasaw Nation then in force, and this applicant is the issue of said marriage.

For Answer. The Chickasaw Nation denies that the applicant is a citizen by blood or otherwise of the Chickasaw Nation. It says that since 1890, its laws forbid the marriage of one of its intermarried citizens with another white person, and provided that if same was done it forfeited all rights of

said intermarried citizen in said Nation that no right could be conferred on the said person to intermarried a citizen of said nation.

Wherefore it is prayed that the application be rejected.

Chickasaw Nation
By its Atty.

No 277 pc
In re
Alamuchee Anderson
vs
Chickasaw Nation

Answer

Filed Oct 31 1896

TO THE HONORABLE DAWES COMMISSION:

In Parte Mauck Marriage Case

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

W H E R E F O R E , It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

W H E R E F O R E , It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

W H E R E F O R E, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

E Pierce #263
Blanch Bradley Pol

Lemuel Er

FILED SEPT. 20 [illegible]
A. S. [illegible]

End

1896 Chic 264

No 20723

In re

Manufacturers Boarding

vs

Chickasaw Nation

Answer

Filed Sept 31-1896

In re -

Naomi Luther Bradley -

The Chickasaw Nation objects to the application herein because 1; It shows that she is a white woman married to another intermarried white person 2, Because it shows that said marriage was not in accordance with the laws of the Chickasaw Nation in force at the date of said marriage

In answer the Chickasaw Nation denies that applicant is entitled to be admitted as a citizen by blood or otherwise It alleges that applicant is a white woman who married another white person who was only an intermarried citizen of the Chickasaw Nation, And that said last marriage was not in conformity with its laws then in force. Which forbid such marriages and forfeited the rights of such intermarried citizen Wherefore it prays that applicant be rejected Chickasaw Nation

By its Atty

In re Jamie Luther Bradley
No. 2720 264

Application for
the Discharge of
the Prisoner on
Habeas Corpus
and Bail pending
Appeal to the
Supreme Court
of the United
States

Refused

Filed Sept. 8th 1876
H.M. Jeffries
Clk

Copy

Application of
Jamie Luther Bradley
Denied

Davidson & Carter.
Attorneys for
Petitioner.

Purcell J.J.

United States of America
Indian Territory
Northern District.

I, Dorsot Cartor, a citizen of the United States and a resident of Purcell, Indian Territory, aged twenty-two years, by occupation an Attorney at Law, being duly sworn, make oath and state:- That at _____ Indian Territory, on the 3rd day of September A.D.1896, I duly served a copy of the within application of Mrs. Minnie Luther Bradley

and exhibits "A", ~~"B" and "C"~~ thereto attached, and the affidavits of Minnie Wallthall

upon Palmer S. Mosley, the Principal Chief or Governor of the Chickasaw Nation, by delivering the same to him in person

Dorst Carter

Subscribed and sworn to by Dorsot Carotr, before me a Notary Public in and for said District, in said Territory, this the 8 day of September A.D.1896.

Myral Spring
Notary Public in and for the Northern District of the Indian Territory.

United States of America
Indian Territory
Southern District.

Before the Honorable Commission to the five civilized tribes of Indians

In the matter of the enrollment of Mrs.Nannie Luther Bradley, ~~and her child Blanche Bradley.~~

-:APPLICATION:-

The aforesaid applicants hereby make application to be enrolled as such members and citizens of the Chickasaw Tribe of Indians and state.

1st:- That on the 26th day of April 1898,in the Indian Territory, applicant, who is a white woman and a United States citizen , intermarried (A true copy of the license & certificate is hereto attached, marked Exhibit "A" and made a part hereof.) with Winter P.Bradley. The said Winter P.Bradley who was then and is now a citizen of the Chickasaw Tribe of Indians, and duly recognized as such, being a citizen by virtue of marriage with one Tennie Colbert a one-fourth blood Chickasaw Indian.

Wherefore premises considered applicant prays that she be enrolled as a member and citizen of the Chickasaw TRIBE OF INDIANS.

Mrs Nannie Bradley

Indian Territory
Southern District. I, Mrs.Nannie Luther Bradley do solemnly swear that I have read the above and foregoing application and know the contents thereof to be true, and that the facts therein stated are true. Witness my hand this 22nd day of August 1898. at Purcell,Ind.Ter.

Winter P. Bradley

Sworn to and subscribed before me this the 22nd day of August 1898.

Robert Carter
NOTARY PUBLIC IN AND FOR THE Southern District of the Indian Territory.

U

MARRIAGE LICENSE

United States of America
Indian Territory
Second Judicial Division.

To any person authorized by law to solemnize marriage, Greeting.

You are hereby commanded to solemnize the Rite and publish the Bans of Matrimony between Mr.W.P.Bradley of Bardley in the Indian Territory, aged 40 years, and Mrs.Nannie Luther of Bradley in the ~~W~~ Indian Territory, aged 25 years, according to law and do you officially sign and return this license to the parties therein named. Witness my hand and official seal this the 23rd day of April A.D.1896. Joseph W.Phillips, Clerk of the U.S.Court.

By J.W.Speake, Deputy.

Seal

CERTIFICATE OF MARRIAGE.

United Statesof America
Indian Territory
Second Judicial Division.

I, Wm.Powell, a Minister of the Gospel do hereby certify, that on the 24th day of April A.D.1896, I did duly and according to law, as commanded in the foregoing license, solemnize the rite and publish the bans of Matrimony between the parties therein named. Witness my hand this the 24th day of April A.D.1896.

My credentials are recorded in the office of the Clerk of the United States Court Indian Territory, Second Judicial Division, Book "A" page___

Wm.Powell, Minister of the Gospel.

Indorsed,

United States of America
Indian Territory
Second Judicial Division. I, Joseph W.Phillips, Clerk of the United Stat Court in the Indian Territory and Division aforesaid, do hereby certify that the license for, and certificate of the marriage of W.P.Bradley and Miss Nannie Luther were filed in my office in said Territory and Division the 29th day of April A.D.1896, and duly recorded in Book "B" of Marriage records, page 25. Witness my hand and seal of said Court, at Ardmore, this the 16th day of May A.D.1896. Joseph W.Phillips, Clerk.

~~E-X-A-M-I-N-E-D~~ "A"

In Re Application of W. P. Bradley
for Enrollment as a Member of Chickasaw Tribe of Indians.

Personally appeared before me F. E. Riddle, a Notary Public in and for the Southern District of the Indian Territory, Mrs. Minnie Walthal, who having been by me first duly sworn according to law, on oath states. I am 34 years old, and am a resident of Perkins County, Chickasaw Nation, Indian Territory, and am a member by blood of the Chickasaw Tribe of Indians. I am acquainted with applicant W. P. Bradley and have known him during the last past 2 years and know his wife, Mrs. Minnie (Luther) Bradley formerly Mrs. Minnie Luther and have known her for 8 years. I know to my own knowledge that the applicant has since his marriage to Tehoma Colbert. been recognized as a Citizen of the Chickasaw Tribe of Indians, and enjoyed all the rights of other Chickasaw's of the full blood. I know that he was married to Mrs. Minnie Luther and they are now both residents of Bradley Indian Territory, and living together as man and wife.

Minnie Walthall
her
mark

Attest
F. E. Riddle
E. M. Paine

Subscribed and sworn to before me thiss 1, day of September, 1896.

F. E. Riddle

Notary Public.

My Commission Expires Dec. 4, 1898.

End

1896 chic 265

I. M. STANDIFER. L. B. EPPSTEIN

LAW OFFICES
OF
STANDIFER & EPPSTEIN.
DENISON, TEXAS.

Sept 5th 96

Dawes Commission

Muskogee Ind Ty

Gentlemen:-

Enclosed find petition of Annie E Standifer for citizenship, which kindly file - a copy has been served on the Governor of Cherokee Nation.

Yours Truly

J S Stone

Atty for Petitioner

No

In re.
Application of
Annie E. Stanphill
vs the
Chickasaw Nation

Answer

Filed Nov 17-1896

In the matter of the application
of Annie E. Stanphill et al.

The Chickasaw Nation excepts
to the application and exhibits
filed herein because the same
does not show that any of the
applicants have ever resided
in the Chickasaw Nation

2nd

It excepts because the same does
not show that the alleged inter
married applicants were mar-
ried according to customs
and laws of the Chickasaw
Nation.

3rd

Because there is no proof
in support of said application

4th

For answer the Chickasaw
Nation denies that applicants
or either of them are citizens
by blood or intermarriage
of the Chickasaw Nation
& Wherefore it prays
that said applicants be
rejected -

Chickasaw Nation
By its Attys.

Annie E. Staufhill et al
vs
Chickasaw Nation

Application
for Citizenship

No 1349

Annie E. Staufhill et al
v.
Chickasaw Nation

Filed 7 Sept. 1896
H. M. Jacoway
Clerk

Application Rejected

Application Denied

Claudius Ephraim
Attys
Denison
Tex.

Annie E Stanfield Et al
vs
Cherokee Nation

Application for
Citizenship

Application
Denied

To The Honorable Henry L Dawes
Chairman of the Dawes Commission
Your petitioner Annie E
Stanphill and her husband Vincent
C. Stanphill and Lester Janette Sarton
& her husband J. M Sarton and her
children Mary E Keaton joined by her
husband J. M Keaton & Sarah L White
joined by her husband Walter White
Martha A Sarton Alexander Sarton
Andrew J Sarton, Ella V Sarton
James G Sarton ... Mary Martha
Julia Bryceman Martin Luther
Ada Thomas & Lilian Stanphill
all children of Annie E Stanphill
& Vincent C Stanphill represent
and show unto your honorable
body that they all except Vincent
Stanphill & J. M Sarton & Walter
White ~~are persons~~ & J M Keaton
are persons of Indian blood
That said last named
persons are the husbands
of said Annie E Stanphill
Lester Janette Sarton Mary
Keaton & Sarah White and
have rights of citizenship in
the Cherokee Nation Indian
Territory which is not
admitted by said Nation
but is denied and applicants
are not on the rolls of
Citizenship of said Nation nor

permitted to enjoy the
privileges & immunities enjoyed
by citizens of said nation
Your petitioners state that
they are descended from one
Charles D. Cooley a Chickasaw
Indian who is a Great Grand
Father of Annie Stanphell
and Ester Janette Sartor and
all the balance of the petitioners
here are the Children and
Sons in law of Ester Janette
Sartor and Annie E Stanphill
and their husbands.
Your applicants state
that they have made applications
for citizenship before the
Indian Authorities which
has been denied them
They state that a Copy
of this petition has been
served on the Governor of
Chickasaw Nation Therefore
they pray that they be
admitted to citizenship
of said Nation and be
placed on the roll of
citizenship thereof.

Vincent C Stanphill
Annie E his x mark Stanphill
J W Sartor
Ester Janette his x mark Sartor
J M Keaton
Agent

Subscribed and sworn to
before me this the 4th day
of September 1896

W. E. Bone Jr.
Notary Public ex for
Grayson County Texas

State of Texas
Grayson County } ss

Personally appeared before me the undersigned authority Annie E Stanphill Vincent C Stanphill Ester Janette Sartor & J H Sartor who being duly sworn on oath state that Annie E Stanphill and Ester Janette Sartor are the great Grand Children of Charley D Cooley who was an Indian by blood & a member of the Chickasaw tribe, that the mother of Annie E Stanphill & Ester Janette Sartor was nee Ester Cooley who was the daughter of Elizabeth Cooley the daughter of Charles D Cooley who was an Indian as before stated

Vincent C Stanphill
Annie E her X mark Stanphill
J H Sartor
Easter her X mark Janette Sartor

Subscribed & Sworn to before me this 4th day of September A D 1906.

W E Doyle Jr.
Notary Public

End

1896 Chic 266

No. 266

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

J. B. Dixon vs Eckhall

VS.

Chickasaw — Nation.

Received and filed this day of

1889

Stenographer.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

J. B. Sparks et als vs. Cherokee Nation, as follows:

Application & Evidence
Answer " "
Certified Cpy. entries &
Judgment

WITNESS my hand and official seal at Atoka

this the 20 day of Feby 1897

Jos. W. Phillips
Clerk

11 - (2668)

In U.S. Court for Indian Territory, Southern Judicial Division at Ardmore

J. B. Sparks, for Pearl Chisholm, et al

vs.

Choctaw Nation.

Order Directing Dawes Commission to forward Papers on Appeal.

IN THE UNITED STATES COURT FOR THE INDIAN TERRITORY, SOUTH-

ERN JUDICIAL DIVISION, AT ARDMORE.

J. B. SPARKS, FOR BENEFIT OF HIMSELF, NELLIE GAINES SPARKS, ET AL,	
VS.	APPLICATION FOR CITIZENSHIP.
C H I C K A S A W N A T I O N.	

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED

TRIBES, COMMONLY CALLED THE DAWES COMMISSION:-

WHEREAS the plaintiff in the above and foregoing cause did, on the 13th day of December, 1896, make application to the Hon. C.B. Kilgore, Judge of the court aforesaid, for an appeal from the judgment and orders of the said Dawes Commission in the above entitled cause, for Mary Sparks, Gladdis Lacy Sparks and Clifford Sparks and which application was on said date duly granted by said Judge and said appeal allowed, and an order was on said date issued by the Clerk of this Court directed to said Dawes Commission requesting and directing said Commission to forward to this Court all the original papers in said caise, together with a certified copy of its orders therein.; and whereas said order has not been returned into this Court, nor has the said Commission forwarded to this Court the papers and record aforesaid;

THESE ARE THEREFORE to request and direct that your Honorable Commission do forward at once to the Clerk of this Court all the original papers in said cause, together with certified copies of all the entries and decrees made therein by the said Commission.

WITNESS THE HONORABLE C.B.KILGORE, JUDGE OF SAID COURT, THIS

12 DAY OF FEBRUARY, A. D. 1897.

Jos. W. Phillips

End

1896 chic 267

INDEXED.

Department of the I. T. S.
No. 1265
Received
1901 FEB 18 1901
Docs. Pkg.

Christian, Ed.
Wadeville I. T.
(No dates).

CHICKASAW

Relative to the death of
Gertie May Christian, citizen
of the Chickasaw Nation

File with Chickasaw 1896 appl.
Dawes Commission No. 267

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 21 1901
ACTING CHAIRMAN

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Ind.Ter., February 11, 1901.

Ed Christian,

Woodville, Indian Territory.

Dear Sir:-

In the records of the original application made by you in 1896 to the Commission, for citizenship in the Chickasaw Nation, there appears the name of Gertie May Christian. It does not appear, from our records, that application has been made for her enrollment in 1899, or since that time. Will you kindly advise the Commission as to the present whereabouts of this child, answering fully the questions below, and returning this letter with your answers in the enclosed envelope: the envelope will not require a stamp.

Yours truly,

Acting Chairman.

1. Is Gertie May Christian alive? She is dead since July 9/

2. Has application been made for her enrollment? _____

3. If so, by whom and under what name? _____

_____

4. Who is she living with and where? _____

Enc.

1896 D.C. 9#267

REGISTRY RECEIPT.

Post Office at COLBERT I.T

Registered Letter No. 31 Rec'd Sept 9 1894

Mr. J. R. McClanan

Woodville I.T

Addressed to Gov. R. M. Francis

Tishomingo I.T

Witness:

R. L. Bell H.B. MOORE P.M. P. M.

POOR ORIGINAL -
BEST AVAILABLE COPY

6621

Ed Chrisman

~~J. H. [illegible]~~

v.

Miscellaneous Notices

FILED SEPT. 9 1896.

A. McKENNON

COM'R

Ed Chrisman
and others
vs. Geo. Mellin
& others as Exrs.
of Mellin Chrisman as
Exrs. of Mellin

Woodville, S.J.

POOR ORIGINAL -
BEST AVAILABLE COPY

No.....

Before the Honorable Commission
to the Five Civilized Tribes.

In the Matter of the Application
of Ed Christian et al for En-
rollment in te Chickasaw Nation.

--: A N S W E R :--

Filed Oct. 31, 1896,

W. W. Jayward,

Sec.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of Ed Christian et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chicksaw Tribe of Indians, presents this answer to said application, and respectfully represents:

First--The Chickasaw Nation admits that Ed Christian is by blood a Chickasaw Indian, and that his children, born of lawful wedlock with the said M. Christian also Chickasaw by blood, and entitled to be enrolled in said Nation, which right has in no manner been refused by the Chickasaw Nation.

Second--The said Chickasaw Nation admits that the said Mattie Christian was lawfully married, as alleged, to the said Ed Christian nee _____, on the date alleged in said application; it admits that said applicant is entitled to share in such rights and privileges, only, as have been guaranteed to intermarried citizens of the Chickasaw Nation by the laws, constitutions and treaties in force in said Nation at the date of said marriage; it denies, however, that he is entitled to share in the proceeds of any annuities or lands of the Chickasaw Nation; and respectfully asks that, in her said enrollment, he be so designated, so that, if the necessity requires in the future, his rights will be defined, and no portion of the property belonging to the Chickasaw Nation will be decreed to him.

All of which is respectfully submitted.

THE CHICKASAW NATION,

By Its Attorneys.

End

1896 Chic 268

No.....

Before the Honorable Commission
to the Five Civilized Tribes.
6

In the Matter of the Application
of F. M. Hargrove et al for
Enrollment in te Chickasaw
Nation.

--: DEMURRER AND ANSWER :--

Filed Oct. 29, 1896.
H M Jacoway
Secy

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :

-----o------

In the Matter of the Application for Enrollment in the Chickasaw Nation

for F. M. Hargrave et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts th the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians?

WHEREFORE , It prays that said application be dismissed.

Third--For further special exception the Chickasaw Nation says that the application herein is not sufficient in that it shows that the applicant has not complied with the laws of the said Nation, and, therefore, is not entitled to any of the rights, privileges and immunities as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation of F. M. Hargrove et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and always have been citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the application of the petitioners herein is entirely without foundation in fact or proof., The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached, and asks that they be considered a part of this answer.

W H E R E F O R E , It prays that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application for Enrollment in the Chickasaw Nation

of [illegible]

-----o-----

Indian Territory,)
) ss. --: Affidavit of C. A. Burris :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared C. A. Burris, who, being first duly sworn, deposes and says: My name is C. A. Burris; I am 67 years of age, and am a Chickasaw Indian by blood; I came to this country with the Chickasaw Tribe of Indians from the state of Mississippi, in the year 1837, and have been here ever since that time; I have been ~~[illegible]~~ a member of the House of Representatives of the Chickasaw Nation; also Senator; District Judge, Supreme Judge, and was this year a Delegate to Washington in the interest of the Chickasaw Nation; I never knew of any Chickasaws, either in Mississippi or the Indian Territory, by the name of "Quiller McCracken", or by the name of "Hargrove," and if there ever were any such Chickasaws by blood or otherwise, I would have k nown them or heard of them.

C. A. Burris

Subscribed and sworn to before me on this the 24th day of October, A. D., 1896.

[illegible]

Notary Public.

No.....

Before the Honorable Commission to the Five Civilized Tribes.

In the Matter of the Application of J. L. Hargrove et al for Enrollment in the Chickasaw Nation.

--: DEMURRER AND ANSWER :--

Filed Oct 29, 1896
H M Jacoway
Secy

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation for J. L. Hargrove et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians?

WHEREEFORE , It prays that said application be dismissed.

Third--For further special exception the Chickasaw Nation says that the application herein is not sufficient in that it shows that the applicant has not complied with the laws of the said Nation, and, therefore, is not entitled to any of the rights, privileges and immunities as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION T THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation
of J. L. Hargrove et al

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

The Chickasaw Nation alleges that none of the applicants herein are entitled to enrollment in the Chickasaw Nation by blood or otherwise, and says that each and all of them are now, and always have been citizens of the United States; and that none of the applicants herein have any evidence which shows conclusively to this Honorable Commission that they are entitled to enrollment in said Nation; it further alleges the fact to be that the application of the petitioners herein is entirely without foundation in fact or proof., The Chickasaw Nation offers, in support of the allegations herein contained, the exhibits hereto attached, and asks that they be considered a part of this answer.

W H E R E F O R E , It prays that all of the applicants herein be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

In the Matter of the Application for Enrollment in the Chickasaw Nation of [illegible]

-----o-----

Indian Territory,)
) ss. --: Affidavit of C. A. Burris :--
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared C. A. Burris, who, being first duly sworn, deposes and says: My name is C. A. Burris; I am 67 years of age, and am a Chickasaw Indian by blood; I came to this country with the Chickasaw Tribe of Indians from the state of Mississippi, in the year 1837, and have been here ever since that time; I have been [redacted] a member of the House of Representatives of the Chickasaw Nation; also Senator; District Judge, Supreme Judge, and was this year a Delegate to Washington in the interest of the Chickasaw Nation; I never knew of any Chickasaws, either in Mississippi of the Indian Territory, by the name of "Quiller McCracken", or by the name of "Hargrove," and if there ever were any such Chickasaws by blood or otherwise, I would have k nown them or heard of them.

[signature]

Subscribed and sworn to before me on this the 24th day of October, A. D., 1896.

[signature]

Notary Public.

c773

J. L. Hargrove et al
vs
Chickasaw Nation

Petition for Enrollment

Filed Sep 9-1896
A.S. McKennon
Com

Rejected

J. L. Hargrove
Pontotoc
I. T.

Application For Enrollment.

Before the United States Commission to the Five Civilized Tribes of Indians:

..... Et. Al.,
PETITIONER,

vs.

..... Nation, Indian Territory.
RESPONDENT.

APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE MENTIONED HONORABLE COMMISSION:

Your petitioner ..... states that .....

was a ..... Indian by blood, was duly recognized by the proper authorities as such in ..... and enjoyed all the rights, privileges benefits and annuities of other ..... Indians by blood in the said ..... Nation or Tribe of Indians, and that the name of the said ..... appears, or should appear upon the authenticated rolls of the said ..... Indians for the year ....., to-wit.

That petitioner is a lineal descendant of the said .....

That under the constitution, laws, usages and customs of the said ..... Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said ..... Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and annuities of other ..... Indians by blood.

That there are now living legal descendants of your said petitioner ..... persons, as follows, to-wit:

....., a ....., and ..... years of age
....., a ....., and ..... years of age
....., a ....., and ..... years of age
....., a ....., and ..... years of age
....., a ....., and ..... years of age
....., a ....., and ..... years of age
....., a ....., and ..... years of age
....., a ....., and ..... years of age
....., a ....., and ..... years of age
....., a ....., and ..... years of age

Wherefore, the premises considered, your petitioner prays that ..... name, with those of

said descendants to-wit:

and be enrolled and admitted to all the rights, benefits, privileges and immunities of other Indians, in and to the Nation or Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

ATTORNEYS FOR PETITIONERS.

The aforenamed petitioner, J L Hargrove, says that the statements set forth in the above and foregoing petition are true according to his best knowledge, information and belief.

J L Hargrove
Petitioner.

Subscribed and sworn to before me, this 1 day of Sept 1896.

H H Williamson,
Notary Public.

No

APPLICATION OF

Et. Al.,

—FOR—

Enrollment in Nation

Filed on the day of 189.

Sec. U. S. Com. Five Civ. Tribes.

Attorney for Petitioner.

CAPITAL PRINT. South McAlester, I. T.

Application For Enrollment.

Before the United States Commission to the Five Civilized Tribes of Indians:

F. M. Haygrove ..... Et. Al., PETITIONER,
VS.
Chickasaw ..... Nation, Indian Territory. RESPONDENT.

APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE MENTIONED HONORABLE COMMISSION:

Your petitioner F.M. Haygrove states that Quilla McCracken was a Chickasaw Indian by blood, was duly recognized by the proper authorities as such in old Chickasaw Nation in Mississippi and enjoyed all the rights, privileges benefits and annuities of other Chickasaw Indians by blood in the said Chickasaw Nation or Tribe of Indians, and that the name of the said Quilla McCracken appears, or should appear upon the authenticated rolls of the said Chickasaw Indians for the year 1893

That petitioner is a lineal descendant of the said Quilla McCracken, to-wit. that Margaret McCracken was a ~~daughter~~ legitimate daughter of the said Quilla McCracken, that she married Archibald Haygrove, and that your petitioner is their legitimate ~~child~~ issue being their legitimate son, that your petitioner is a mixture of white and Chickasaw Indian, being at least three fourths Chickasaw

That under the constitution, laws, usages and customs of the said Chickasaw Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said Chickasaw Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and annuities of other Chickasaw Indians by blood.

That there are now living legal descendants of your said petitioner 6 persons, as follows, to-wit:

Lizzie Haygrove now Cray	a daughter	and	42 years of age
Margaret Haygrove	a "	and	40 years of age
Quilla Haygrove	a Son	and	36 years of age
Haygrove Haygrove	a daughter	and	28 years of age
Josephine Haygrove	a "	and	25 years of age
Thomas Haygrove	a Son	and	20 years of age
	a	and	years of age
	a	and	years of age
	a	and	years of age

Wherefore, the premises considered, your petitioner prays that his name, with those of

his said descendants to wit Lizzie - Margaret Buddie - Seymore - Josephine, — and Thomas

and ——— be enrolled and admitted to all the rights, benefits, privileges and immunities of other Chickasaw Indians, in and to the Chickasaw Nation or Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

ATTORNEYS FOR PETITIONERS.

~~The aforenamed petitioner~~ J. L. Seymore ——— He is agent for Petitioners who is absent from D.T.

says that the statements set forth in the above and foregoing petition are true according to his best knowledge, information and belief.

J. L. Seymore
Petitioner.

Subscribed and sworn to before me, this 8 day of Apl 1896.

W. H. Kelsey
Notary Public.

No

APPLICATION OF

.....Et. Al.

—FOR—

Enrollment in Nation

Filed on the day of 189.

Sec. U. S. Com. Five Civ. Tribes.

Attorney for Petitioner.

CAPITAL PRINT. South McAlester, I. T.

United States of America,
Indian Territory.
Southern District.

John L. Harper, being duly sworn;

I am 56 years old and reside near Pontotoc Chickasaw Nation, Indian Territory. I am a citizen by blood of the said Chickasaw Nation, my dens Father was one half or Choctaw, and was born and raised in the old Chickasaw Nation in the State of Mississippi. I have been told by my father, Archibald Harper, who is dead, Margaret Hargrove, my daughter of Miller Colbreth, who is dead, was three quarter Chickasaw Indian or Choctaw, was three quarter Chickasaw Indian. And was duly recognized citizen of [illegible] A.D.1837, and moved to the Mississippi. And was also [illegible] -tion for the purpose of re-moving to the Chickasaw Nation in the Indian Territory, and got to the West [illegible] died. I never very well seeing him [illegible] ap[illegible] Abo[illegible]ar, A.D.1852, my father [illegible] started on to the Chickasaw Nation, [illegible] through Texas to trade them for cattle, which he intended to [illegible] to the Chickasaw Nation, [illegible] that [illegible] him away and the War came up and he was never able to get there to live. I came into the Chickasaw Nation about the [illegible] the war [illegible] after the war my father came [illegible] near where Tishomingo now stands. My father was [illegible] visit to [illegible]. My father was [illegible] so [illegible] Nation [illegible] after this [illegible] of my father. [illegible] have been [illegible] Margaret Hargrove, [illegible] Chickasaw, and have so [illegible] ever since. [illegible] to note as [illegible] Chickasaw [illegible] Court of Claims.A[illegible] -tions [illegible] to prove the case [illegible] Claims [illegible] sent my witness [illegible] by blood, [illegible] Indian [illegible] Chickasaw Nation [illegible] by blood, [illegible] other [illegible] one half Chickasaw Indian [illegible] blood, [illegible] before the Court of Claims of the Chickasaw Nation [illegible] and with the matter. I went to [illegible] ago to get the affidavits and he said that he had lost it. He is now Attorney General [illegible] Chickasaw Nation. I have been married twice [illegible] A.D.1881, [illegible] filed, [illegible] sixteen [illegible]

J. L. Hargrove

Subscribed and sworn to before me this [illegible] day of September, A.D.18

H. M. Manning

[illegible]
Central District,
[illegible] Territory.

C.A.Wells [illegible] years, [illegible] years, to Post office
is well [illegible] Carter Nation, I.T.
I am acquainted with and [illegible] have known him
and have known him for [illegible] years.
acquainted with him for [illegible] years.
and knew him well. I saw him for [illegible] years. [illegible] a out one forth
XXXX [illegible] at this time I [illegible] Chickasaw Nation, I have [illegible] Hargrove and that his [illegible] that Guiller McCracken was a [illegible] I know that the petitioner [illegible] Chickasaw Nation for the
seeking to establish his [illegible]
last eight or ten years.
I know that [illegible] petitioner [illegible] at Tishimingo, I.T. to attend to [illegible] the petitioner
[illegible] sick but could not go [illegible] to attend to [illegible] his trial
that he sent me to see Hon. [illegible] to continue the trial as
the petitioner was at that time sick and [illegible] to go.
When I went to see Mr. Boyd [illegible] that this matter [illegible] Chickasaw
that he knew that this claim [illegible]
Court trying to keep them out.
I [illegible] petitioner [illegible] affidavits of Jane Lane, [illegible] McCracken and that she
proove that he was the son of Margaret McCracken and that she
was the daughter of Guiller McCracken.
XXXXXXXXXXXXXXXXXXXXXXXX.

C. A. Wells

Subscribed and sworn to before me this the [illegible] of September 1896.

W. M. Ware
[illegible] Co.

(Copy)

OFFICE OF
M. F. ROBINSON,
COUNTY AND PROBATE JUDGE, BLUE CO.,
CHOCTAW NATION.

CADDO, I. T. Sept 6th 1896

The Choctaw Nation } Affidavit of M F Robinson
County of Blue } County Judge Blue co C N
Personally appeared before
me M F Robinson a citizen by blood
of the Choctaw Nation and after being duly
sworn states on oath that he was County
Clerk of Blue co - Choctaw Nation - in the years 1890
& 1891 & 1892 & 1893 & 1894 and during one of
those years I did take the deposition of
Mrs Betsy Arrington a citizen by blood
of the Choctaw Nation in the Contest case
of Mrs G. L. Hargrove and the said Mrs
Arrington did state that Agnes McCracken
was a half breed Indian and that
Mrs William Cunnington was present when his
mother Mrs Arrington made this
statement -

M. F. Robinson

Wits. } William + Arrington
his
mark
Sworn and Subscribed before me this 6th day of
Sept A.D. 1896
M. F. Robinson
Blue Co. C.N.

State of Arkansas
County of Craighead }

In the Matter of the Citizenship and relationship of Francis M. Hargrove and John L. Hargrove,

We the undersigned, Jane Lane, Benjamin R. Ishmael and Elbender L. McCracken aged 54 and 77 and 76 years, respectively, do depose and say, that we Knew Guilder McCracken, personally in his lifetime, that we knew Margaret McCracken who was Guilder McCracken's daughter, and that Margaret McCracken and Archibald Hargrove were lawfully Married according to the State laws of Arkansas, and we further swear that Francis M, And John L. Hargrove are the Children of Archibald and Margaret Hargrove and Grand Children and legal heirs of Guilder McCracken,

witness
W. J. McCracken

Jane Lane
Elbender L. McCracken
mark
B. R. Ishmael

State of Arkansas }
County of Craighead }

Be it remembered that on this 6th day of June 1891 before me J. D. Jinks a Notary Public within

and for the County and State aforesaid personally appeared Jane Lane Benjamin K. Dahmael and Ellender L. McCracken whose genuine signatures appears subscribed to the foregoing affidavit, and stated and acknowledged that the facts therein stated are substantially true and desired the same so certified which is hereby accordingly done

In testimony whereof I have hereunto set my hand and official seal on the day and date above written.

Notary Public

Form No. 95. Printed and for sale by Woodruff Printing Co., Printers, Lithographers and Binders, Little Rock, Ark.

CERTIFICATE OF MAGISTRACY.

STATE OF ARKANSAS, }
County of Craighead } I, O. W. Anderson

County Clerk in and for the County and State aforesaid, do hereby certify that

W. D. Sparks whose genuine signature appears to the above and foregoing

Notary Public within & for said County & State is, and was at the time he signed the same, a duly commissioned and sworn, and that his official acts are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of office this the 8th day of June 189 1

O. W. Anderson CLERK.

His commission expires April 22d 1894

1

i

[illegible] J.L.

[illegible] Chickasaw Nation,

[illegible] Indian Territory, Chickasaw Nation,

[illegible] duly sworn according to law states that he is 71 years of age, [illegible] Pontotoc County, Chickasaw Nation, [illegible] personally known to affiant, [illegible] J.L.Hargrove has applied for citizenship in the Chickasaw Nation.

Affiant further says that [illegible] acquainted with J.L.Hargrove, that he was a Chickasaw Indian by blood, [illegible] of the Chickasaw Nation, and that the said Hargrove is a proper person to be admitted to all the rights, privileges benefits and immunities of Chickasaw citizens.

Affiant further states that he is well known to J.L.Hargrove for the past ten years; that the complexion and physical appearance of the said J.L.Hargrove indicates that he is an Indian blood descent.

Affiant further says that from what he has learned and knows of the family of the said J.L.Hargrove he believes the said J.L.Hargrove to be a descendant by blood of the Chickasaw Tribe a lineal descendant of the said Colbert.

his
Elijah X mark Colbert.

Sworn and subscribed to before me this 2"ary of September 1896.

E.J.Bell [illegible] U.S.C.

Seal.

(Copy)

Affidavit of Witness
in the Matter of Petition and Memorial
of J. L. Hargrove.
for admission to citizenship in the
Chickasaw Nation.

Indian Territory
County of Atoka

Before me the undersigned a Notary Public in
and for the central District Indian Terry.
Personally appeared Elijah Colbert who
after being by me first Duly Sworn
according to Law. states that he is 76 Years
of age and a resident of Pontotoc County
Chickasaw Nation and his Post office address
is Wiley Ind Ter. that he is personally acquainted
with J. L. Hargrove who is an applicant
for Citizenship in the Chickasaw Nation.
affiant further states.
that he was personally acquainted with
Guilder McCracken that he was a Chickasaw
Indian by blood and was a resident of the
Chickasaw Nation and that the said Mc Cracken
was a recognized citizen of said nation and
Enjoyed all the rights privileges. benefits and
immunities of other Chickasaw Indians,
affiant further states that he has
known J. L. Hargrove for the past 10
years and that the complexion and Physical
appearance of the said J. L. Hargrove indicate
that he is of Indian blood and Descent.
affiant further says that from what he has
heard and knows of the family of the said

J. L. Hargrove he believes the said
J. L Hargrove to be a Descendant by
blood of the Chickasaw Tribe and a Lineal
Descendant of the said McCarter

his
Elijah + Colbert
mark

Sworn and Subscribed to before
me this 2nd Day of September 1896

E. J. Ball
Notary Public

United States of America,
Indian Territory,
Central District.

.....I, J. P. Mullen, being duly sworn,

state that I have this day sent a package containing three copies of

the petition of J. L. Greene et al. vs. Mary Greene; also receipts of

J. P. Mullen, U. S. Marshal, for service, and Nos. 283

and 284 herein attached, is for writ process, and that affiant has no

interest whatever in the result of this case.

.....J. P. Mullen.....

Subscribed and sworn to before me this 9th day of September 1896.

.....W. M. Cunningham.....

Notary Public.

REGISTRY RECEIPT.

Post Office at South McAlester, Ind. Ter. SEP 9 1896 189

Registered Letter Parcel } No. 284 Rec'd

of M M Cunningham

addressed to W B Harris
Tishomingo I T
M a Bottom

End

1896 chio 269

#51
#269D.
T. S. Barker et al
vs
Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

J. S. Barker et als

No. 269 vs.

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of J. S. Barker et als to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 4 day of ~~December~~ Jan, 1897.

Joseph Pinn, *Clerk.*

#51

No. 2695

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

J. L. Barker

VS.

Chickasaw *Nation.*

Received and filed this *day of*

189

Secretary.

ELEVATOR JOB PRINT, FORT SMITH.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

T. S. Barker vs. Chickasaw Nation, as follows:

Application & Evidence
Certified Copies entries
& judgment

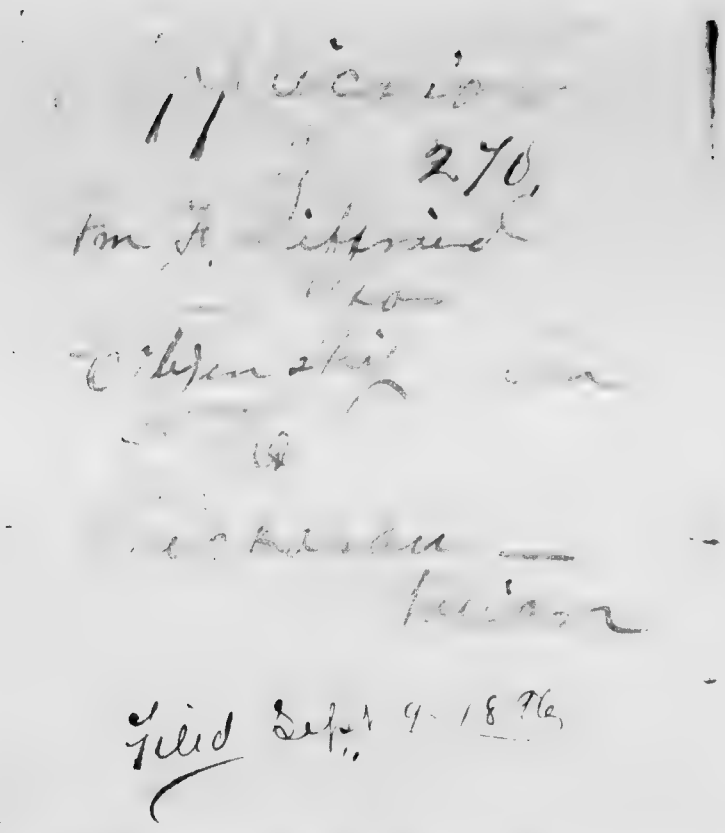
WITNESS my hand and official seal at Ardmore

this the 5 day of Feby 1897

Jos. W. Phillips
Clerk

End

1896 Chic 270



Field Dept. 9-1876

Indian Territory,
SS
Southern District

To The Honerable Dawe's Commission,

Vinita, I.T.

Gentlemen:

I the undersigned your petitioner respectfully make the fol lowing statement of facts constituting my grounds for citizenship in the Chickasaw Nation, to wit: name Wm.F.Seiffried, age 53 years a resident of Pontotoc County Chickasaw Nation, I.T.I am a white man a Citizen of the Chickasaw Nation by marriage having married Julia. Maytubby, a Chickasaw Indian by blood on July the 4th 1874. at Durant Blue County Choctaw Nation, my wife Julia was a niece of the Hon Peater Maytubby, of Caddo, I.T. who is a Chickasaw Indian oy blood I Complied with the Laws of said Nation in regard to non Citizens marrying in to said tribe I hereby enclose affidavits to corroborate my statements we have seven Children viz: Minnie.age 22 Willie. age 20 Henry age 19 Sallie age 16 Mattie. age 14 Mary. age 13 Lula. age 11 my wife Julia died about three years since & I am still single, I do most respectfully ask that my self & Children be placed on the citizenship roll of the Chickasaw Nation,,

Wm F Seiffried

Subscribed & sworn to before me this 7 day of Sept 1896. & I hereby certify that I am well acquainted with the said Seiffried & know him to be a person of Credibility, of truth & Veracity,

O E Cousins
Notary Public

Southern District, Ind Ter,

Indian Territory,
Suthern District, SS

Affidavit of Ben. Freeney,

Purcell, I.T.

Before me the undersigned a Notary Public in & for the Southern District of the Indian Territory, personally appeard B.F.Freeney, who after being by me duly sworn states that he is 36 years of age & a resident of Pontotoc County Chickasaw Nation, & of Choctaw Indian blood affiant further states that he has known Wm.F. Seiffried who is an applicant for citizenship in the Chickasaw Nation for 8 years the said Seifried is a white man a Citizen of the Chickasaw Nation by marriage his wife was Julia. Maytubby, a Chickasaw Indian by blood she was a Niece of the Hon Peater. Maytubby, who lives at Caddo,I.T. affiant further states that the said Seiffried is a recgnized Citizen of said Nation, having married cording to their laws.

Subscribed & sworn to before me this 7th day of Aug 1896.
& I hereby certify that I am well acquainted with the said B.F.Freeney, & know him to be a person of creibility,of truth, & veracity,

Notary Public Southern District, Ind Ter. City of Purcell,
my Commission expires on the 13th day of Mch 1900.

End

1896 Chic 271

#14

No. 271 D

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Jack H. Brown et al

VS.

Chickasaw Nation.

Received and filed this day of

189

Secretary.

ELEVATOR JOB PRINT FORT SMITH

FILED

FEB 4 1897

Clerk

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Jno. H. Brewer & Chickasaw Nation, as follows:
vs.

Application & Evidence attached, Ans. & Evidence attached. Certified copy of citizen & Judgment

WITNESS my hand and official seal at Ardmore

this the 5 day of Feb. 1897

Jos. W. Phillips
Clerk

#14— 2.712

Jos. H. Brown et als

vs

Chickasaw Nation

IN THE UNITED STATES COURT, IN THE INDIAN TERRITORY,

SOUTHERN DISTRICT AT ARDMORE.

.....

Jos. H. Brown et al

NO. 14. vs

CHICKASAW NATION.

NOTICE OF APPEAL.

.....

To the Hon. J. Paes, Chairman of the Commission of the United States, to the Five Civilized Tribes of Indians.

SIR:

You are hereby notified that an appeal has been granted in the matter of the application of Jos. H. Brown et al to be enrolled as members of the Chickasaw Tribe of Indians from your commission to the United States Court for the Southern District of the Indian Territory at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

WITNESS the HON. T. M. ROOF, Judge of said Court and the seal thereof at Ardmore Indian Territory, this 14 day of December, 1896.

Jos. W. Phillips .....CLERK.

#791

Ex parte

Joseph A Brown

et al

D Emmons

FILED SEPT 20 18

TO THE HONORABLE DAWES COMMISSION:

In Re Parte Joseph H. Brown

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians

WHEREFORE, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

End

1896 Chic 272

No 1

No. ~~20~~ 212

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

A. B. Roff

VS.

Chickasaw *Nation.*

Received and filed this *day of*

189

Secretary.

ELEVATOR JOB PRINT FORT SMITH

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

A. B. Wolf vs. Choctaw Nation, as follows:

Application & Enrollment
attached & Exhs. A
evidence attached
Supplemental Documentary evidence
Brief of Applicant
Certified copies of
entries & Judgment

WITNESS my hand and official seal at Atoka

this the 5 day of Feb, 1897

Jos. M. Phillips
Clerk

#772

Ex parte

T. P. Pahl et al

Dismiss

FILED SEP 30 ...
A. S ...CKEENON
...Cl...

TO THE HONORABLE DAWES COMMISSION:

In Re: Ex Parte F. S. Pace

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

No 1 -272-

A. B. Roff

vs

Chickasaw Nation

Notice to the Commissioner from the United States to the Five Civilized Tribes of Indians of Appeal and order to him to forward papers to Clerk.

Forwarded & Docketed Clerk Sup Ct Muskogee

In the United States Court in the Indian Territory.

Southern District, at Ardmore.

A.B. Roff and others	Notice of Appeal.
#1 vs.	
The Chickasaw Nation.	

To the HON. HENRY L. DAWS, Chairman of the Commission of the United States to the Five Civilized Tribes of Indians.

Sir:-

You are hereby notified that an appeal has been granted in the matter of the application of A.B.Roff and others to be enrolled as members of the Chickasaw Tribe of Indians from your Commission to the United States Court for the Southern District of the Indian territory, at Ardmore.

You are therefore notified and ordered to immediately forward to the Clerk of this court all of the original papers filed, used and considered in said cause by your commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C.B.Kilgore, Judge of said Court and the seal thereof, at Ardmore Indian Territory, this 5th day of December, 1896.

J.W. Phillips
Clerk.

End

1896 Chic 273

Indian Territory, SS

Southern District,

To The Honorable Dawe's Commis

Vinita, I.T.

Gntlemen:

I the undersigned your petitioner respectfully make the following statement of facts constituting my claims for citizenship in the Chotckasaw Nation, I.T.to-wit: name David.Mays, age 58 years a resident of Purcell, Chickasaw Nation, I.T. I am a white man a Citizen of the Chickasaw Nation by marriage my wife is Susie.... a Chickasaw Indian by blood her father was the late Joseph. Mitchell, a Chickasaw Indian by blood, I married my wife Susie. in 1868 I have complied with the Laws of the said Nation in regard to Non Citizens marrying in to said tribe of Indians, I here enclose affidavits to corroborate my statements we have 3 single children viz:

I do most respectfully ask that we be placed on ~~the~~ citizenship rolls of the Chickasaw Nation,

Attest O E Estelle

David Mays
Mark

Subscribed & Sworn to before me this day of sept 1896. & I hereby certify that I am well acquainted with the said David.Mays,& know him to be a person of credibility of truth, & Veracity.

O E Estelle

Notary Public Southern District, Ind. Ter.

my Commission expires on feb the 2nd 1899.

Southern

Indian Territory,
Southern District, SS

Affidavit of Mrs Brady

Purcell, I.T.

Before me the undersigned a Nautrority personally appeard Mrs Caroline Brady who after being by me duly sworn states that she is 58 years of age a resident of Pontotoc County Chickasaw Nation, I.T. & a member of the Chickasaw tribe of Indians by blood that David Mays who is an applican for citizenship in the Chickasaw Nation is a white man a Citizen of th Chickasaw Nation by marriage having married Susin.E.Mitchell a Chickas Indian by blood in 1868. the said David. Mays, complied with the Laws of the said Nation in regard to white men Non Citizens marrying in to said tribe of Indians ,

her
Caroline X Brady
mark

Attest
F M C Fox

Subscribed & sworn to before me this 3 day of sept 1896.

E E Estella

Notary Public Southern District, Ind. Ter.

Location

Indian Territory,
Southern District, SS

Affidavit of Mrs Susin E. Mays,

Purcell I.T.

Before me the undersigned a Notary Public in & for the Southern Dist, of the Indian Territory personally appeard Mrs Susin. E. Mays, who after being by me duly sworn states that she is 56 years of age a resident of Purcell, Chickasaw Nation, I.T. & a member of the Chickasaw tribe of Indians by blood, that Mr David. Mays, who is an applicant for citizenship in the Chickasaw Nation is her Husband having married him in Aug 1868 affiant further states that she is a daughter of the late Joseph. Mitchell, who was a Chickasaw Indian by blood, affiant further states that David. Mays, complied with the Laws in regard to white men Non- Citizens marrying in to said tribe of Indians we have (3 Living children Viz: Wm, age 21 yrs, age 18 [illegible]

Susan E. Mays

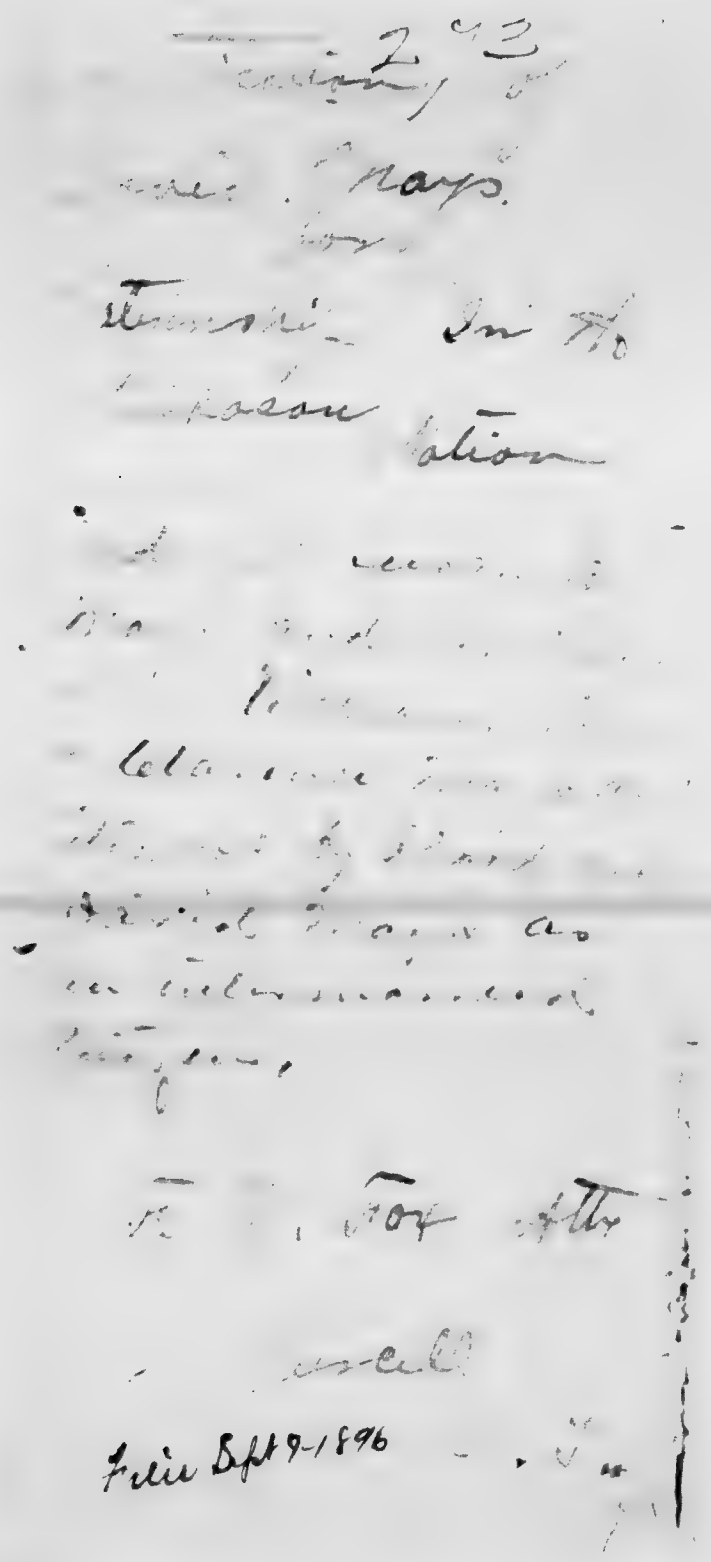
Subscribed & sworn to before me this 6th day of sept 1896. & I do hereby certify that I am well acmainted with the said Mrs Susin E. May & know her to bea person of Credibility, of Truth, & Veracity,

S E Scrutchfield

Notary Public Southern District, Ind Ter.

my commission ex pires Feb the 2nd 1899.

Scrutchfield



End

1896 Chic 274

APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of Chickasaw Nation, Ind. Ter:

GENTLEMEN:—The undersigned, your petitioner, this day makes this His Application for citizenship in the Chickasaw Nation, in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of this His Application, to-wit:

That Hon. W. C. Swinney is the Grand son of one Chatala Byers who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this His Application for Chickasaw Citizenship by blood, and respectfully awaits the time when His Application shall be truly heard and tried. Respectfully submitted.

Age 30 years; Postoffice Ada Indian Territory.

Family, with their relationship attached, is as fallows:

NO.	NAMES.	SEX.	AGE.	RELATIONSHIP.
1	Wm Swinney.	M	35	Husband
2	Mary A Swinney	F.M	22	Wife

In witness of which application, I hereunto set my hand, on this the 14 day of June 1893

W. C. Swinney

Subscribed and sworn to before me this day of 189

J. P. BYERS, Attorney.

APPLICATION FOR CITIZENSHIP.

To The Honorable National Council of Chickasaw **Nation Ind. Ter:**

GENTLEMEN:—*The undersigned, your petitioner, this day makes this* her *Application for Citizenship in the* Chickasaw *Nation, in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of this* her *Application to-wit:*

That she *is the* Granddaughter *of one* Elizabeth Poe *who the undersigned fully believes was an Indian belonging to said tribe.*

The undersigned hereby presents the above facts as the lawful grounds for this her *Applicalion for* her *Citizenship by blood, and respectfully awaits the time when* her *Application shall be truly heard and tried. Respectfully submitted.*

Age 53 *years, Postoffice* Purcell. Ind Terry

Family, with their relationship attached, is as follows:

NO.	NAMES.	SEX.	AGE.	RELATIONSHIP.
	Elizabeth Poe	Female	Dead	Grandmother
	Mahala Rogers		8 M	Mother
	Mary Swinney		53	Applicant

In witness of which Application, I hereunto set my hand, on this the 29 *day of* Sept *189*3

Mary Swinney

Subscribed and sworn to before me this 29 *day of* Sept *189*3

J. P. Byers, Attorney.

Spec. T. Gates

M. Comm. - E. D. Tex

J. M. CAIN ARTIST PRINTER FT. SMITH.

Received

AFFIDAVIT OF WITNESS.

STATE OF Ind Terry }
COUNTY OF Chickasaw Nation } ss.

BEFORE ME, the undersigned, a ~~Notary Public, in and for the county and state aforesaid~~ personally appeared Mahala C Rogers U.S. Commissioner for the Eastern who after being by me duly sworn states that she is 75 years of age, and is a citizen of Chickasaw Nation and State of Indian Terry and that she is personally acquainted with Mrs Mary Summey Who is an applicant for citizenship in the Chickasaw Nation, I. T., and affiant further states that the said Mrs Mary Summey the identical person she represents Her self to be in her application for citizenship in said Nation and that the said Mrs Mary Summey is her daughter. Affiant further says: Her Grandmother was Nancy Bryant own sister of Needham Bryant, a full blood Chickasaw Indian citizen and near mouth of Yalobusha & Yazoo Rivers, East of Mississippi. My father Wm Perry son of Nancy Bryant, came with Needham Bryant from Miss. to Little Rock and with the Indians in moving them to the country. My father returned to Miss. I did not. I remember the circumstances perfectly well. My father came after me to go with them. I would not go and the party start. I did not go by my uncle my guardian Asbury. could not start at the time on account of business matters. I was then past from hearing my parents often speak of being Chickasaw Indians & they were always so known & held up & was admitted & was never disputed. My father was called Chickasaw Indian among white persons. Affiant further states that she has known the said Mary Summey always, and is her mother ~~for the past ____ years~~ and knows that she is and has been recognized and treated by she when living in Mississippi neighbors, acquaintances and the public generally as a person having Chickasaw Indian blood, and that the complexion and physical appearance of the said Mary ~~she moved from Miss. about 15 years ago, to Ind T. &~~ Summey indicate that the said Mary Summey is of Indian blood. That from the above facts and circumstances and from statements made to me by ~~the said~~ my parents & Grandparents Affiant states she has every reason to believe that the said Mary Summey is of Chickasaw Indian blood.

Affiant further states that she he has no interest whatever in the prosecution of the claim of the said Mary Summey to citizenship in the Chickasaw Nation, I. T.

Mahala C Rogers

Subscribed and sworn to before me this 4th day of January A. D., 189 9 and I further certify that ~~I am well acquainted with~~ the said Mahala C Rogers to ~~be~~ identified ~~and know it to~~ be a person of credibility and of truth and veracity.

Geo F Gale ~~Notary Public.~~

My Commission Expires on ~~____~~ day of ~~____~~ Dec 1899

Joseph P. Byers, Attorney at Law.

◆TEMPO JOB-PRINT, FT. SMITH.◆

I was born in Marion Co Miss in 1795. I am now living in Chickasaw Nation, Ind Ter. My post office is Ada.

6/20

In re.
Mary Swinney
et al
vs
Chickasaw Nation

Answer

Filed 10/21/98

In re-
Mary Swinney. et al.

The Chickasaw Nation excepts to the application herein because the same is unsupported by testimony other than that of applicants

2

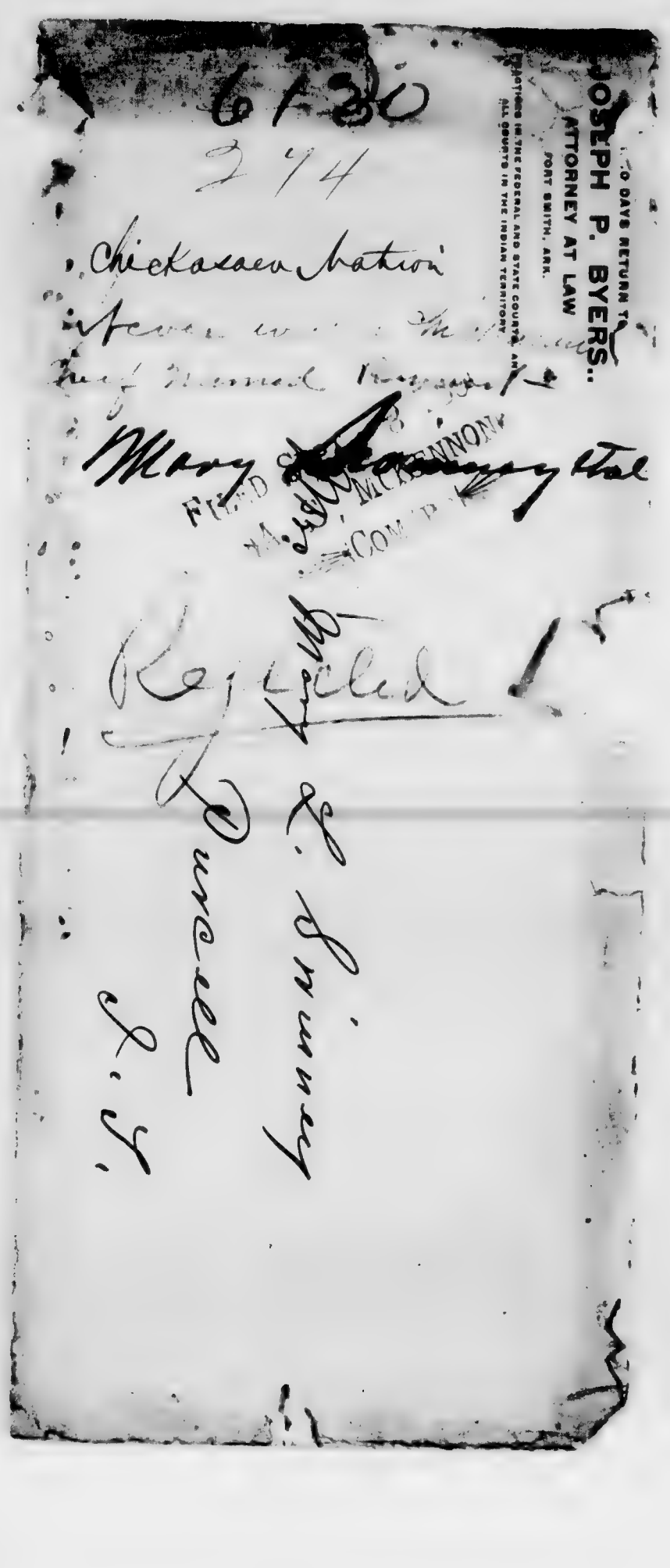
Because the applicants do not show that they are residents of the Chickasaw Nation.

3rd

For answer the Chickasaw Nation denies that either of the applicants are members of the Chickasaw tribe of indians by blood or otherwise. It says that there never was a Chickasaw Chief or member of its tribe by the name Bryant and the name of Needham Bryant is unknown to its history and tradition

Wherefor it prays that the applicants be denied

Chickasaw Nation
By [illegible]


6-30
274
Chickasaw Nation
JOSEPH P. BYERS.
ATTORNEY AT LAW
PORT SMITH, ARK.
FILED
COMPARED
Rejected
Purcell
I. T.

End

1896 Chic 275

#47
#275 D.

Sarah J. Reynolds

vs

Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

Sarah J. Reynolds

No. 275 vs.

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians*—

SIR: You are hereby notified that an appeal has been granted in the matter of the application of Sarah J. Reynolds to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 4 day of ~~December~~ Jan, 1897.

Jos. W. Phillips *Clerk.*

#47

No. 2752

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Sarah J. Reynolds

VS.

Chickasaw Nation.

Received and filed this day of

189

Secretary.

ELEVATOR JOB PRINT FORT SMITH

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Sarah J Reynolds vs. Chickasaw Nation, as follows:

Application & Evidence
Answer & "
Certified Copies entries
& judgments

WITNESS my hand and official seal at Ardmore

this the 5 day of Feb. 1897

Jos. W. P. Jacoway
Recd

End

1896 Chic 276

No. 776

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

J. W. Montgomery Esq

VS.

Nation.

Received and filed this day of

189

Secretary.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

J W Blassingame vs. Chickasaw Nation, as follows:

Application
Answer
Judgment

WITNESS my hand and official seal at

this the 22 day of Feby 1897.

R B Stone
Clerk.

No 276

J. W. Blassingame et al

v

Okla. Nation

DEPUTIES.

C. E. ATKINSON,
South McAlester.
M. L. STONER,
South McAlester.
A. D. McCANS,
Antlers.
G. R. EDWARDS,
Atoka.
F. H. CARR,
Cameron.

United States Court in the Indian Territory,

Central District.

P. B. Stoner, Clerk.

TERMS OF COURT.

SOUTH McALESTER:
Second Tuesday in September and April.
ATOKA:
Second Tuesday in November and First Tuesday in March.
ANTLERS:
First Tuesday in December and Second Tuesday in May.
CAMERON:
Second Tuesday in October and February.

South McAlester, Ind. T., Jan. 22" 1897.

To the Honorable Dawes Commission,

Fort Smith, Ark.

Sir:

You are hereby notified that J. W. Blassingame et al

has taken an appeal to this court from the decision rendered by you on the application of J. W. Blassingame et al.

vs the Cherokee Nation, for enrollment as a citizen of said nation.

You will at the earliest time practicable, transmit to this court a transcript of all the entries on your docket relating thereto, together with the original papers, depositions and testimony therein, and your decision on said application.

Yours very respectfully.

P. B. Stoner.

Clerk.

TO THE HONORABLE DAWES COMMISSION:

Ex Parte James A. Shearingame et al

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

#176

Ex parte

James H. Blasingame

et al

Answer

FILED SEPT 3 [illegible]

A. S. [illegible]

End

1896 Chic 277

Before the Commission for the Five Civilized Tribes.

In the matter of the application of Jon Stephens

applicant for enrollment as a member of Chickasaw Tribe of Indians.

Marcus Hamilton, being by me first duly sworn by me according to law states that he a package registered at the Post Office of Ebarb, addressed to the Hon Governor of the Chickasaw Nation at Ardmore Ind. Ter., That the registry receipt No. 13, received from the Post master Sent attached to Bill Newberry's application filed herewith is a receipt for said package, which contained an exact copy of all the applications and affidavits of Jon Stephenson also in support of the same, before the commission for the Five Civilized Tribes.

Witness to mark
J F Blanton

Marcus Hamilton.

Subscribed & sworn to before me this Sept 9-1896.

J F Blanton
N.P.

6-5-07

In Statham

v.

Delaware Watch

FILED SEPT. [illegible] 07

A. S. McKENNON

COM'R

Dover, Del.

3rd Judicial Dist
of 2nd Div
Chickasaw Nation
County of Pickens
Elmore P. O.

Affidavit

Personally appeared before me a Notary Public Thomas Stephenson, after being duly sworn deposes and says,

My name is Thomas Stephenson - I am 23 yrs old I have been married 2 years and five months I am a son of Enoch Stephenson & my father is a son of the old lady Lany Stephenson, and she Lany Stephenson my Grand mother is a Daughter of James Colbert Who was a full Blood Chickasaw Indian. Thus making my Grand mother Lany Stephenson a half Breed Chickasaw and my father is a Son of Lany Stephenson which makes him a quarter Breed Chickasaw. Thus making me a one Eight Breed Chickasaw Indian. I have one child named Anna which makes it One 6th Chickasaw. This Statement is from my own personal knowledge, I am not aided nor prompted nor dictated by any person

Witness my hand and seal this Aug 31 1896

witness
Oliver Colley
his
Joe + Williams
mark

Thomas Stephenson

Subscribed and sworn to before me a Notary Public This Aug 31 1896
Jasper N. Black
Notary Public

Commission expires APRIL 24... U.S. Indian Ter.

--: Affidavit of Laney Stepheson :--

In Re the Citizenship Claim of Manuel Williams, et al.

3rd Judicial Division of the Indian Territory)
)
Chickasaw Nation. County of Pickens.)

Personally appeared before me, a Notary Public, Laney Stepheson formerlyLaney Colbert, after being duly sworn by me deposeth and says: My name is Laney Stepheson, formerly Laney Colbert; I am about one hundred years old; I was lawfully married to Mobile Stepheson, at Chillihoma, in the state of Mississippi; my father was a full-blood Chickasaw Indian; I came to this country with the Chickasaw Indians when they came here; my mother was a slave, owned by my father, James Colbert; I raised 15 children by my husband, Mobile Stepehson, and are named as follows: Elsa, Gaddis, Louisa, Banks, Dick, Lanis, Cornelis, Sarah, Elmira, Diner, Bob, Joe, Dud, David and one infant, deceased; there is nine of my children, out of the above names, who lived to be grown and raised families, that are dead, who are as follows: Gaddis, Banks, Louisa, Cornelis, Sarah, Bob, Diner, Louis, Dud, which their children are entitled to citizenship; also this evidence is from my own personal knowledge; I am not aided or prompted, or dictated by any written statement, or by any person.

Witness my hand and seal this Aug. 27, A. D., 1896.

(Signed) her
Laney X Stepheson.
mark

Witness:
John Pemberick
Geo L Chapman

-----o-----

Subscribed and sworn to before me, a Notary public, this Aug 27, 1896
(Signed) Jasper N. Brown

Indian Territory,)
)
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared Richard McLish, who, being duly sworn, depeses and says: I have read the foregoing, and know it to be a true and correct copy of the original. On Monday, Oct. 19, 1896, a negro, named Mobile Richardson, offered this affidavit in support of his claim to be registered as a citizen, and said that he was the son of Elsa, claimed by Laney Stepheson to have been her daughter ; I took a copy of the affidavit, and this certified copy is submitted in the above case, to show the negro blood of the applicants.

Richard McLish

Subscribed and sworn to before me this
20th day of October, A. D., 1896. W. K. Adams N. P.

No 277

Jno vs
Thomas Stephenson
et al

vs.

Chickasaw Nation

Demurrer
and Motion

Filed Oct. 20/46.
Whitecotton
Clerk.

In Re _____

Affidavit of Wm. L. Byrd

Indian Territory,)
)
Chickasaw Nation.)

Before me, the undersigned authority, on this day personally appeared William L. Byrd, who, being first duly sworn, on oath deposes and says: My name is William L. Byrd; I am 52 years of age; I have been Governor of the Chickasaw Nation four years, (two terms); have been delegate to Washington in the interest of the Nation; have been National Superintendent of Public Instruction, and have filled many other important positions under the Chickasaw Government; I am knew old Laney Stepheson, who was a full-blood negress, and who the parties herein claim to have been their ancestor, as shown by the affidavits herein filed; I also knew her three sons--Dick Stepheson, Lewis Stepheson and Bank Stepheson; and I know all of them to have been negroes, who were set free before the war by their owners; I know that they have never been recognized as citizens of the Chickasaw Nation, in any respect, and have remained here ~~x~~ since 1856, as freed negroes, and recognized as citizens of the United States, and never enjoyed any of the rights, privileges or immunities of Chickasaw ~~Indians~~;citizens.

_____

Subscribed and sworn to before me on this the 17th day of October, A. D., 1896.

_____

Notary Public.

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES:

Ex Parte _____

Now comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSIONER TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the matter of the application for admission to the Chickasaw Nation

of _____

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Court to Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First--That the laws of the Chickasaw Nation forbid the intermarriage of any negro with a Chickasaw by blood.

Second--That the laws of the Chickasaw Nation have never accepted any of its Freedmen;but refused to accept that annuities of the Treaty which stipulated that they should have two years and ninety days in which to adopt the said Freedmen: all of which appears by the various Acts of the Legislature of the Chickasaw Nation, which will be hereafter submitted as exhibits in these cases.

Third--That the Chickasaw Nation is not advised whether or not the applicants herein are Chickasaw Freedmen; but says that it has a roll of all the original slaves owned by the Chickasaws at the date of the Emancipation, which it can furnish to this honorable Commission, if it should be held that the said Freedmen are entitled to any rights, privileges and immunities in the Chickasaw Nation, conferred by the Treaty--which is not conceded by the Chickasaw Nation, but is expressly denied.

Fourth--The Chickasaw Nation says that no rights could ever be conferred, (if any rights were had), by the Chickasaw Freedmen, by intermarriage, upon another and different person, or the descendants thereof.

W H E R E F O R E , The Chickasaw Nation prays that this application, together with all others of Freedmen, be dismissed, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

End

1896 Chic 278

BEFORE THE COMMISSION TO THE FIVE

CIVILIZED TRIBES.

COLLIN J. McKINNEY, FOR BENEFIT

OF HIMSELF AND OTHERS,

VS.

CHICKASAW NATION.

ARGUMENT IN BEHALF OF APPLICANTS.

POTTER & POTTER.

COLLIE J. McKINNEY, FOR THE BEN- EFIT OF HIMSELF AND OTHERS, VS. C H I C K A S A W N A T I O N .	::	APPLICATION FOR CITIZENSHIP PENDING BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

-- :o: --

ARGUMENT IN BEHALF OF APPLICANTS.

--:o:--

The Chickasaw Nation, by virtue of the Constitution that went into operation August 30th, 1856, created a government of limited and defined powers, and Section 11 of the General Provisions, reads as follows:

"The Legislature shall have the power by law to admit or adopt "any person to citizenship in this Nation except a Negro or descen- "dant of a Negro, provided, however, that such an admission or "adoption should not give a right further than to settle and remain "in the Nation and to be subject to its laws."

On October 17th, 1856, the Legislature passed the following Act:

"An Act Granting Citizenship to the Heirs of Wm. W. Bourland:

"Be it enacted by the Legislature of the Chickasaw Nation That "the right of citizenship is hereby granted to the following named "children and nephews of Wm. W. Bourland: Nancy, Amanda, Matilda, "Cordentia and Ann Hannah."

It is provided in the 38th Article of the treaty between the United States and the Chickasaw and Choctaw Indians, adopted in the year 1866, as follows:

"Every white person who having married a Choctaw or Chickasaw "resides in said Choctaw or Chickasaw Nation or who has been adopted "by the Legislative authorities is to be deemed a member of said

"Nation, according to his domicile, and shall be subject to prose-
"cution and trial before their tribunals and to punishment accord-
"ing to their laws in all respects as though he was a native Chicka-
"saw or Choctaw."

The meaning of this provision has already been discussed by us in an argument in the case of Wiggs against the Chickasaw Nation, now on file before the Commission. The new Constitution, adopted by the Chickasaw Nation on August 16th, 1867, after the Treaty of 1866 had been adopted, contains the following provision in reference to the power of the Legislature to adopt citizens:

"Section 10. The Legislature shall have the power by law to
"admit or adopt as citizens of this Nation such persons as may be
"acceptable to the people at large."

Section 7 of the Constitution of 1867 reads as follows:

"All persons other than Chickasaws who have become citizens of
"this Nation by marriage or adoption and have been confirmed in
"all their rights as such by former conventions and all such pe-
"sons as aforesaid who have become citizens by adoption by the Leg-
"islature or by intermarriage with the Chickasaws since the adop-
"tion of the Constitution of August 18th, 1856, shall be entitled
"to all the rights, privileges and immunities of native citizens,
"and all who may hereafter become citizens either by marriage or
"adoption shall be entitled to all the privileges of native born
"citizens, without being eligible to the office of Governor."

On October 17th, 1876, the Legislature of the Chickasaw Nation passed the following Act:

"An Act Granting Citizenship to the heirs of Wm. H. Bourland:

"Section 1. Be it enacted by the Legislature of the Chickasaw
Nation That the right of citizenship is hereby granted to the fol-
"lowing named six children and nephews of Wm. H. Bourland: Nancy,
Amanda,

"Matilda, Gordentia and R^an Hannah.

Approved October 7th, 1876."

The evidence in this case shows that Gordentia, the daughter of Wm. H. Bourland and the person named and adopted in the two Acts above referred to, is the wife of Collin J. McKinney, the applicant herein. The evidence further shows that her father, who was a widower, moved with a family of small children to the Chickasaw Nation in about 1855, and then married Miss Caroline Willis, a native Chickasaw. That Gordentia was then a girl about seven (7) years old living with her father at the time she and her sisters and the newphew of Wm. H. Bourland, Run or Reece Hannah, were adopted by the Legislature of the Chickasaw nation in October, 1856. After the death of her father, in about the year 1860, her uncle, Col. James Bourland, came and took her to Texas and raised her, where, in 1869, she became the wife of the applicant, Collin J. McKinney.

It is important to note that the provisions of the Constitution of 1856 in relation to the adoption of citizens, limited the power of the Legislature to confer, by adoption, only a limited citizenship. And while the Constitution remained in this condition the Legislature adopted the Bourland family, we concede that it might be well contended that by their adoption at that time they received only a limited citizenship, that was, the right to reside in the Chickasaw Nation and to be subject to its laws. But it will be noted that the Treaty of 1866 provided that citizens by adoption should be members of the Nation the same as natives, and in harmony with this provision of the treaty the Chickasaw Nation itself, when it adopted the Constitution of 1867, provided that all persons who had been adopted by the Legislature since the adoption of the Con-

s

stitution of 1856 should enjoy all the rights and immunities of native born citizens. It is also a noteworthy fact that the Constitution of 1867, in conferring upon the Legislature the power to adopt citizens, omits all the words of limitation or restriction contained in the Constitution of 1856, and simply confers upon the legislature power to adopt citizens of the Nation without qualification or limitation. We think it clear that if the first adoption of the Bourland family conferred upon them only a limited citizenship then the provisions of the treaty of 1866 enlarged this citizenship and made such adopted persons citizens of the Nation equal with all native citizens. And if this were not true, we think the provision of the constitution of 1867, by which citizens who had previously been adopted were made citizens equal with all others citizens, would apply to the Bourlands and would enlarge their rights under such adoption and make them equal to native citizens. But the case is even stronger than this. After the Constitution of 1867 was adopted the Legislature of the Chickasaw Nation re-enacted and re-affirmed, in October, 1876, the adoption of the Bourland family by the Act above quoted; the Legislature thereby exercising its full powers to adopt into complete citizenship, conferred by the Constitution of 1867. It thus appears that all the power of the Legislature, both under the Constitution of 1856 and the Constitution of 1867, has been exercised to make the Bourland family Indians, and that in addition to this, all the power possessed by the United States Government that could be invoked by treaty stipulations has been resorted to to make these people citizens of the Chickasaw nation, and in addition to this, it appears that all the power residing in the Chickasaw people at large has been called into exercise to confer citizenship upon the Bourland

family. That it was intended by the Treaty of 1866 and by the Constitution of 1867 and by the Act of 1876 that this citizenship should be full and unrestricted seems to us beyond the reach of controbersy. The provision of the Constitution of 1867, in referring to and confirming ~~the~~ and enlarging the rights of persons theretofore adopted as citizens, could have no other meaning than that such citizenship should be unqualified and without limitation. The change made in the Constitution of 1866 by the Constitution of 1867, in conferring authority upon the Legislature to adopt citizens, by which the restrictive clause was omitted, could have no other meaning than to remove such limitation upon the power of the Legislature and to confer upon it the right to grant full citizenship. So we conclude that if there be any power anywhere to confer Indian citizenship upon a white person that Mrs. McKinney, nee Cordentia Courland, has been clothed with such rights.

The right of her husband to citizenship by virtue of his intermarriage with her rests, of course, upon the same principles discussed in the argument for the applicant in the case of Riggs, and will not be further elaborated here, except we desire to call the attention of the Court to one provision in Article 38 in the Treaty of 1866. It will be observed that this provision provides that the intermarried citizen must reside in the Territory. This does not apply to adopted citizens. Neither of the Constitutions of the Chickasaw Nation contain any similar provision, nor do any of their laws require that an adopted or an intermarried citizen shall reside in the territory in order to retain his citizenship, but if it should be concluded that this provision in reference to residence should be applied in this case to Collin J. McKinney himself (as it could not apply to any other member of applicant's family)

we call attention to the fact that he and his wife both testify that it was always their purpose from the time of their marriage to move to the territory, but from the date of their marriage, in 1869, until the year 1880 their purpose was not accomplished owing to the unsettled condition of matters in the Indian Territory. And this purpose seems to have been known and understood by their neighbors and relatives and friends, and in pursuance of their original purpose in 1880 they did move to the Indian Territory, which was only four years after the last adoption of Gordentia Bourland by the Chickasaw Nation. They remained there about six years and returned because their rights were disputed. And we call attention to the fact that on October 11th, 1883, the Legislature passed an Act repealing the Act of October 7th, 1876, adopting the Bourland family as citizens, which Act will be found on page 158 of the "Constitution, Treaties and Laws of the Chickasaw Nation." It will be seen that the Chickasaw Nation itself was at this time denying the rights of these parties to citizenship, and there being no tribunal to which they could appeal, and after an effort of ix years to live in the territory they again moved to Texas to await the developments of events which would make it possible for them to live and rear their children in the territory. The Chickasaw Nation itself is responsible for their failure to live within its borders, at least from the year 1880, and ought not now to be allowed to raise an objection on this ground. Later, in 1890, when the United States courts were established in the Indian Territory that furnished the intermarried citizen some protection and protection to his property, a portion of applicant's family, with their stock, returned to the Chickasaw Nation, where they have ever since resided. We think that should the doctrine that it was necessary

for Allin F. McKinney as an intermarried citizen to claim his rights in the Chickasaw nation, to reside there, that he has sufficiently complied with such provision and ought not to be denied his citizenship on that account. Particularly is this true when it is taken into consideration that it has been the policy of the Chickasaw Nation not to exact such residence but to make the right of such persons rest altogether on other facts. There is no requirement of this sort in their Constitution or laws, or in the Act adopting the Bourland family. And if the applicant could not avail himself of the treaty stipulation, because of failure to reside in the Nation, he certainly could not be deprived of the privilege of accepting citizenship according to the laws of the Nation itself.

We do not deem it necessary to discuss at any length the Act repealing the Act conferring citizenship upon the Bourland family. In the first place, the name of Cordentia Bourland does not occur in the repealing Act. In the next place, the Legislature had no power under the Constitution to repeal or destroy citizenship. The Legislature could exercise only such rights and powers as were conferred upon it by the Constitution, and none other. It possessed the power to confer citizenship, but it did not possess the power to destroy the citizenship of any person, and no such bill of attainder or no such forfeiture of the rights of a citizen as this Act attempts can find the remotest authority in the Constitution itself. Besides, the rights conferred by the original Act of 1855 and conferred by the Treaty of 1866 and confirmed by the Constitution of 1867 and re-affirmed by the Act of 1876 was a vested and indefeasible right, of which no man could be deprived in this country without due process of law.

Without further discussion we submit that the rights of applicant and his family to citizenship in the Chickasaw Nation are clear and indisputable, and we respectfully ask that the name of the applicant and those of each of his family be placed upon the roll of citizenship prepared by this Honorable Commission.

Potter & Potter
Attorneys for Applicant.

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

COLLIN J. McKINNEY, FOR THE BENEFIT OF HIMSELF AND OTHERS,

VS.

CHICKASAW NATION.

ARGUMENT IN BEHALF OF APPLICANTS.

POTTER & POTTER.

COLLIN J. McKINNEY, FOR THE BEN- EFIT OF HIMSELF AND OTHERS, VS. C H I C K A S A W N A T I O N .	::	APPLICATION FOR CITIZENSHIP PENDING BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

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ARGUMENT IN BEHALF OF APPLICANTS.

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The Chickasaw Nation, by virtue of the Constitution that went into operation August 30th, 1856, created a government of limited and defined powers, and Section 11 of the General Provisions, reads as follows:

"The Legislature shall have the power by law to admit or adopt "any person to citizenship in this Nation except a Negro or descen- "dant of a Negro, provided, however, that such an admission or "adoption should not give a right further than to settle and remain "in the Nation and to be subject to its laws."

On October 17th, 1856, the Legislature passed the following Act:

"An Act Granting Citizenship to the Heirs of Wm. H. Bourland:

"Be it enacted by the Legislature of the Chickasaw Nation That "the right of citizenship is hereby granted to the following named "children and nephews of Wm. H. Bourland: Nancy, Amanda, Matilda, "Cordentia and Run Hannah."

It is provided in the 38th Article of the treaty between the United States and the Chickasaw and Choctaw Indians, adopted in the year 1866, as follows:

"Every white person who having married a Choctaw or Chickasaw "resides in said Choctaw or Chickasaw Nation or who has been adopted "by the Legislative authorities is to be deemed a member of said

"ation, according to his domicile, and shall be subject to prose-
"cution and trial before their tribunals and to punishment accord-
"ing to their laws in all respects as though he was a native Chicka-
"saw or Choctaw."

The meaning of this provision has already been discussed by us in an argument in the case of Riggs against the Chickasaw Nation, now on file before the Commission. The new Constitution, adopted by the Chickasaw Nation on August 16th, 1867, after the Treaty of 1866 had been adopted, contains the following provision in reference to the power of the Legislature to adopt citizens:

"Section 10. The Legislature shall have the power by law to
"admit or adopt as citizens of this Nation such persons as may be
"acceptable to the people at large."

Section 7 of the Constitution of 1867 reads as follows:

"All persons other than Chickasaws who have become citizens of
"this Nation by marriage or adoption and have been confirmed in
"all their rights as such by former conventions and all such pe-
"sons as aforesaid who have become citizens by adoption by the Leg-
"islature or by intermarriage with the Chickasaws since the adop-
"tion of the Constitution of August 18th, 1856, shall be entitled
"to all the rights, privileges and immunities of native citizens,
"and all who may hereafter become citizens either by marriage or
"adoption shall be entitled to all the privileges of native born
"citizens, without being eligible to the office of Governor."

On October 17th, 1876, the Legislature of the Chickasaw Nation passed the following Act:

"An Act Granting Citizenship to the heirs of Wm. H. Bourland:

"Section 1. Be it enacted by the Legislature of the Chickasaw
"Nation that the right of citizenship is hereby granted to the fol-
"lowing named as children and nephews of Wm. H. Bourland: Nancy Ammon,

Matilda, Cordentia and [illegible] Hannah.

Approved October 7th, 1876."

The evidence in this case shows that Cordentia, the daughter of Wm. H. Bourland and the person named and adopted in the two Acts above referred to, is the wife of Collin J. McKinney, the applicant herein. The evidence further shows that her father, who was a widower, moved with a family of small children to the Chickasaw Nation in about 1850, and then married Miss Caroline Willis, a native Chickasaw. That Cordentia was then a girl about seven (7) years old living with her father at the time she and her sisters and the nephew of Wm. H. Bourland, Dan or Reece Hannah, were adopted by the Legislature of the Chickasaw Nation in October, 1856. After the death of her father, in about the year 1860, her uncle, Col. James Bourland, came and took her to Texas and raised her, where, in 1869, she became the wife of the applicant, Collin J. McKinney.

It is important to note that the provisions of the Constitution of 1856 in relation to the adoption of citizens, limited the power of the Legislature to confer, by adoption, only a limited citizenship. And while the Constitution remained in this condition the Legislature adopted the Bourland family, we concede that it might be well contended that by their adoption at that time they received only a limited citizenship, that was, the right to reside in the Chickasaw Nation and to be subject to its laws. But it will be noted that the Treaty of 1866 provided that citizens by adoption should be members of the Nation the same as natives, and in harmony with this provision of the treaty the Chickasaw Nation itself, when it adopted the Constitution of 1867, provided that all persons who had been adopted by the Legislature since the adoption of the Con-

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stitution of 1866 would enjoy all the rights and immunities of native born citizens. It is also a noteworthy fact that the Constitution of 1867, in conferring upon the Legislature the power to adopt citizens, omits all the words of limitation or restriction contained in the Constitution of 1866, and simply confers upon the legislature power to adopt citizens of the Nation without qualification or limitation. It seems so clear that if the first adoption of the Pourlan[illegible] family conferred upon them only a limited citizenship then the provisions of the treaty of 1866 enlarged this citizenship and made such adopted persons citizens of the Nation equal with all native citizens. And if this were not true, we think the provision of the Constitution of 1867, by which citizens who had previously been adopted were made citizens equal with all others citizens, would apply to the Pourlands and would enlarge their rights under such adoption and make them equal to native citizens. But the case is even stronger than this. After the Constitution of 1867 was adopted the Legislature of the Chickasaw Nation re-enacted and re-adopted, in October, 1875, the adoption of the Pourland family by the act above quoted; the Legislature thereby exercising its full power to adopt into complete citizenship, conferred by the Constitution of 1867. It thus appears that all the power of the Legislature, both under the Constitution of 1856 and the Constitution of 1867, has been exercised to make the Pourland family Indians, and that in addition to this, all the power possessed by the United States Government that could be invoked by treaty stipulations has been exercised to make these people citizens of the Chickasaw Nation, and in addition to this, it appears that all the power residing in the Chickasaw people at large has been called into exercise to confer citizenship upon the Pourland

family. That it was intended by the treaty of 1866 and by the Constitution of 1867 and by the Act of 1870 that this citizenship should be full and unrestricted seems to us beyond the reach of controversy. The provision of the Constitution of 1867, as construing to and confirming ~~the~~ and enlarging the rights of persons intermarried adopted as citizens, could have no other meaning than that such citizenship should be unqualified and without limitation. The change made in the Constitution of 1890 by the Convention of 1887, in conferring authority upon the legislature to grant citizens, by which the restrictive clause was omitted, could have no other meaning than removing such limitation upon the power of the legislature and to confer upon it the right to grant full citizenship. So we conclude that if there be any power anywhere to confer Indian citizenship upon a white person that Mrs. McKinney, the Supreme Court and, has been clothed with such rights.

The right of her husband to citizenship by virtue of his intermarriage with her rests, of course, upon the same principles discussed in the argument for the applicant in the case of Mary E. and will not be further elaborated here, except we desire to call the attention of the Court to one provision in Article 2 of the Treaty of 1866. It will be observed that this provision provides that the intermarried citizen must reside in the Territory. This does not apply to adopted citizens. Neither of the Constitutions of the Chickasaw nation contain any similar provision, nor do any of their laws require that an adopted or an intermarried citizen shall reside in the territory in order to retain his citizenship, but if it should be concluded that this provision in reference to residence should be applied in this case to Collin J. McKinney himself (as it could not apply to any other member of applicant's family)

we call attention to the fact that he and his wife both testify that it was always their purpose from the time of their marriage to move to the territory, but from the date of their marriage, in 1869, until the year 1880 their purpose was not accomplished owing to the unsettled condition of matters in the Indian Territory. And this purpose seems to have been known and understood by their neighbors and relatives and friends, and in pursuance of their original purpose in 1880 they did move to the Indian Territory, which was only four years after the last adoption of Sarcentia Pearland by the Chickasaw Nation. They remained there about six years and returned because their rights were usurped. And to still attention to the fact that on October 11th, 1890, the Legislature passed an Act repealing the Act of October 7th, 1876, admitting the Pearland family as citizens, which Act will be found on page 150 of the "Constitution, Treaties and Laws of the Chickasaw Nation." It will be seen that the Chickasaw Nation itself was at this time denying the rights of these parties to citizenship, and there being no tribunal to which they could appeal, and after an effort of six years to live in the territory they again moved to Texas to await the developments of events which would make it possible for them to live and rear their children in the territory. The Chickasaw Nation itself is responsible for the failure to live within its borders, at least from the year 1890, and ought not now to be allowed to raise an objection on this ground. Later, in 1896, when the United States courts were established in the Indian Territory that furnished the intermarried citizen some protection and protection to his property, a portion of applicant's family, with their stock, returned to the Chickasaw Nation, where they have ever since resided. We think that should the doctrine that it was necessary

for Gillin J. McKinney as an intermarried citizen to claim his rights in the Chickasaw nation, to reside there, that he has sufficiently complied with such provision and ought not to be denied his citizenship on that account. Particularly is this true when it is taken into consideration that it has been the policy of the Chickasaw Nation not to exact such residence but to make the right of such persons rest altogether on other facts. There is no requirement of this sort in their Constitution or laws, or in the Act adopting the Bourland family. And if the applicant could not avail himself of the treaty stipulation, because of failure to reside in the Nation, he certainly could not be deprived of the privilege of accepting citizenship according to the laws of the Nation itself.

We do not deem it necessary to discuss at any length the Act repealing the Act conferring citizenship upon the Bourland family. Inthe first place, the name of Gordentia Bourland does not occur in the repealing Act. In the next place, the Legislature had no power under the Constitution to repeal or destroy citizenship. The Legislature could exercise only such rights and powrs as were conferred upon it by the Constitution, and none other. It possessed the power to confer citizenship, but it did not possess the power to destroy the citizenship of any person, and no such bill of attainder or no such forfeiture of the rights of a citizen as this Act attempts can find the remotest authority in the Constitution itself. Besides, the rights conferred by the original Act of 1856 and conferred by the Treaty of 1866 and confirmed by the Constitution of 1867 and re-affirmed by the Act of 1876 was a vested and indefeasible right, of which no man could be deprived in this country without due process of law.

Without further discussion we submit that the rights of applicant and his family to citizenship in the Chickasaw Nation are clear and indisputable, and we respectfully ask that the name of the applicant and those of each of his family be placed upon the roll of citizenship prepared by this Honorable Commission.

Patter & Patter
Attorneys for Applicant.

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No. 279

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

J. J. McKinney Jr
Cordelia McKinney
VS.
Choctaw Nation.

Received and filed this day of

189

Secretary.

ELEVATOR JOB PRINT FORT SMITH

FEB 20 189

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

C. J. McKinney et als vs. Chickasaw Nation, as follows:

Application & Evidence
Answer " "
Certified Copy entries
and Judgment

WITNESS my hand and official seal at Ardmore

this the 20 day of Feby 1897

Jos. W. Phillips
Clerk

IN THE UNITED STATES COURT FOR THE INDIAN TERRITORY, SOUTHERN JUDICIAL DIVISION, AT ARDMORE.

COLLIN J. McKINNEY, FOR BENEFIT OF GORDENTIA McKINNEY, ET AL,	
VS.	APPLICATION FOR CITIZENSHIP.
C H I C K A S A W N A T I O N.	

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES, COMMONLY CALLED THE DAWES COMMISSION:-

WHEREAS the plaintiff in the above and foregoing cause did, on the 13th day of December, 1896, make application to the Hon. C.B. Kilgore, Judge of the Court aforesaid, for an appeal from the judgment and order of the said Dawes Commission in the above entitled cause, and which application was on said date duly granted by said Judge and said appeal allowed, and an order was on said date issued by the Clerk of this Court directed to said Dawes Commission requesting and directing said Commission to forward to this Court all the original papers in said cause, together with a certified copy of its orders therein, and whereas said order has not been returned into this Court, nor has the said Commission forwarded to this Court the papers and records aforesaid;

THESE ARE THEREFORE to request and direct that your Honorable Commission do forward at once to the Clerk of this Court all the original papers in said cause, together with certified copies of all the entries and decrees made therein by the said Commission.

WITNESS THE HONORABLE C.B.KILGORE, JUDGE OF SAID COURT, THIS 12 DAY OF FEBRUARY, A. D. 1897.

Geo W Phillips

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In the Court for Indian Territory, Southern Judicial Division at Ardmore.

C. S. McKinney, for himself & Gordon McKinney, et al.

vs.

Choctaw & Chickasaw Nations

Order directing Dawes Commission to forward Papers for Appeal.

BEFORE THE COMMISSION TO THE FIVE

CIVILIZED TRIBES.

COLLIN J. McKINNEY, FOR THE BENE-

FIT OF HIMSELF AND OTHERS,

VS.

C H I C K A S A W N A T I O N .

ARGUMENT IN BEHALF OF APPLICANTS.

POTTER & POTTER.

COLLIN J. MCKINNEY, FOR THE BEN-EFIT OF HIMSELF AND OTHERS, VS. CHICKASAW NATION.	:: :: :: :: ::	APPLICATION FOR CITIZENSHIP PENDING BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

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ARGUMENT IN BEHALF OF APPLICANTS.

--:o:--

The Chickasaw Nation, by virtue of the Constitution that went into operation August 50th, 1856, created a government of limited and defined powers, and Section 11 of the General Provisions, reads as follows:

"The Legislature shall have the power by law to admit or adopt "any person to citizenship in this Nation except a Negro or descen- "dant of a Negro, provided, however, that such an admission or "adoption should not give a right further than to settle and remain "in the Nation and to be subject to its laws."

On October 17th, 1856, the Legislature passed the following Act:

"An Act Granting Citizenship to the Heirs of Wm. W. Bourland:

"Be it enacted by the Legislature of the Chickasaw Nation That "the right of citizenship is hereby granted to the following named "children and nephews of Wm. W. Bourland: Nancy, Amanda, Matilda, "Cordentia and Ann Hannah."

It is provided in the 38th Article of the treaty between the United States and the Chickasaw and Choctaw Indians, adopted in the year 1866, as follows:

"Every white person who having married a Choctaw or Chickasaw "resides in said Choctaw or Chickasaw Nation or who has been adopted "by the Legislative authorities is to be deemed a member of said

"Nation, according to his domicile, and shall be subject to prose-
"cution and trial before their tribunals and to punishment accord-
"ing to their laws in all respects as though he was a native Chicka-
"saw or Choctaw."

The meaning of this provision has already been discussed by us in an argument in the case of Wiggs against the Chickasaw Nation, now on file before the Commission. The new Constitution, adopted by the Chickasaw Nation on August 16th, 1867, after the Treaty of 1866 had been adopted, contains the following provision in reference to the power of the Legislature to adopt citizens:

"Section 10. The Legislature shall have the power by law to
"admit or adopt as citizens of this Nation such persons as may be
"acceptable to the people at large."

Section 7 of the Constitution of 1867 reads as follows:

"All persons other than Chickasaws who have become citizens of
"this Nation by marriage or adoption and have been confirmed in
"all their rights as such by former conventions and all such per-
"sons as aforesaid who have became citizens by adoption by the Leg-
"islature or by intermarriage with the Chickasaws since the adop-
"tion of the Constitution of August 18th, 1856, shall be entitled
"to all the rights, privileges and immunities of native citizens,
"and all who may hereafter become citizens either by marriage or
"adoption shall be entitled to all the privileges of native born
"citizens, without being eligible to the office of Governor."

On October 17th, 1876, the Legislature of the Chickasaw Nation pas-
sed the following Act:

"An Act Granting Citizenship to the heirs of Wm. H. Bourland:

"Section 1. Be it enacted by the Legislature of the Chickasaw
Nation that the right of citizenship is hereby granted to the fol-
"lowing named ex children and nephews of Wm. H. Bourland: Nancy, Amanda,

Matilda, Gordentia and Reece Hannah.

Approved October 7th, 1876."

The evidence in this case shows that Gordentia, the daughter of Wm. H. Bourland and the person named and adopted in the two Acts above referred to, is the wife of Collin J. McKinney, the applicant herein. The evidence further shows that her father, who was a widower, moved with a family of small children to the Chickasaw Nation in about 1855, and then married Miss Caroline Willis, a native Chickasaw. That Gordentia was then a girl about seven (7) years old living with her father at the time she and her sisters and the newphew of Wm. H. Bourland, Ran or Reece Hannah, were adopted by the Legislature of the Chickasaw Nation in October, 1856. After the death of her father, in about the year 1860, her uncle, Col. James Bourland, came and took her to Texas and raised her, where, in 1869, she became the wife of the applicant, Collin J. McKinney.

It is important to note that the provisions of the Constitution of 1856 in relation to the adoption of citizens, limited the power of the Legislature to confer, by adoption, only a limited citizenship. And while the Constitution remained in this condition the Legislature adopted the Bourland family, we concede that it might be well contended that by their adoption at that time they received only a limited citizenship, that was, the right to reside in the Chickasaw Nation and to be subject to its laws. But it will be noted that the Treaty of 1866 provided that citizens by adoption should be members of the Nation the same as natives, and in harmony with this provision of the treaty the Chickasaw Nation itself, when it adopted the Constitution of 1867, provided that all psons who had been adopted by the Legislature since the adoption of the Con-

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stitution of 1866 would enjoy all the rights and immunities of native born citizens. It is also a noteworthy fact that the Constitution of 1867, in conferring upon the legislature the power to adopt citizens, omits all the words of limitation or restriction contained in the Constitution of 1866, and simply confers upon the legislature power to adopt citizens of the Nation without qualification or limitation. We think it clear that if the first adoption of the Cherokee family conferred upon them only a limited citizenship then the provisions of the treaty of 1866 enlarged this citizenship and made such adopted persons citizens of the Nation equal with all native citizens. But if this were not true, we think the provision of the Constitution of 1867, by which citizens who had previously been adopted were made citizens equal with all others citizens, would apply to the Freedmen and would enlarge their rights under such adoption and make them equal to native citizens. But the case is even stronger than this. After the Constitution of 1867 was adopted the legislature of the Chickasaw Nation re-enacted and re-affirmed, in October, 1871, the adoption of the Bourland family by the Act above quoted; the legislature thereby exercising its full powers to admit into complete citizenship, conferred by the Constitution of 1867. It thus appears that all the power of the legislature, both under the Constitution of 1856 and the Constitution of 1867, has been exercised to make the Bourland family Indians, and that in addition to this, all the power possessed by the United States Government that could be invoked by treaty stipulations has been resorted to to make these people citizens of the Chickasaw Nation, and in addition to this, it appears that all the power residing in the Chickasaw people at large has been called into exercise to confer citizenship upon the Bourland

family. That it was intended by the treaty of 1866 and by the Constitution of 1867 and by the Act of 1870 that their citizenship should be full and unrestricted seems to us beyond the reach of controversy. The provision of the Constitution of 1867, in referring to and confirming and enlarging the rights of persons theretofore adopted as citizens, could have no other meaning than that such citizenship should be unqualified and without limitation. The change made in the Constitution of 1851 by the Constitution of 1867, in conferring authority upon the Legislature to grant citizens, by which the restrictive clause was omitted, could have no other meaning than to remove such limitation upon the power of the Legislature and to confer upon it the right to grant full citizenship. So we conclude that if there be any power anywhere to confer Indian citizenship upon a white person that Mrs. [redacted], nee Cordelia Bourland, has been clothed with such rights.

The right of her husband to citizenship by virtue of his intermarriage with her rests, of course, upon the same principles discussed in the argument for the applicant in the case of Riggs, and will not be further elaborated here, except we desire to call the attention of the Court to one provision in Article 32 in the Treaty of 1866. It will be observed that this provision provides that the intermarried citizen must reside in the Territory. This does not apply to adopted citizens. Neither of the Constitutions of the Chickasaw nation contain any similar provision, nor do any of theyr laws require that an adopted or an intermarried citizen shall reside in the territory in order to retain his citizenship, but if it should be concluded that this provision in reference to residence should be applied in this case to [redacted] himself (as it could not apply to any other member of applicant's family)

we call attention to the fact that he and his wife both testify that it was always their purpose from the time of their marriage to move to the territory, but from the date of their marriage, in 1860, until the year 1880 their purpose was not accomplished owing to the unsettled condition of matters in the Indian Territory. And this purpose seems to have been known and understood by their neighbors and relatives and friends, and in pursuance of their original purpose in 1880 they did move to the Indian Territory, which was only four years after the last adoption of Sections 1 and 2 by the Chickasaw Nation. They remained there about six years and returned because their rights were disputed. And we call attention to the fact that on October 11th, 1883, the Legislature passed an Act repealing the Act of October 7th, 1876, admitting the Cumberland family as citizens, which Act will be found on page [illegible] of the "Constitution, Treaties and Laws of the Chickasaw Nation." It will be seen that the Chickasaw Nation itself was at this time denying the rights of these parties to citizenship, and there being no tribunal to which they could appeal, and after an effort of six years to live in the territory they again moved to Texas to await the developments of events which would make it possible for them to live and rear their children in the territory. The Chickasaw Nation itself is responsible for the r failure to live within her borders, at least from the year 1880, and ought not now to be allowed to raise an objection on this ground. Later, in 1890, when the United States courts were established in the Indian Territory that furnished the intermarried citizen some protection and protection to his property, a portion of applicant's family, with their stock, returned to the Chickasaw Nation, where they have ever since resided. We think that should the doctrine that it was necessary

for Gillin F. McKinney as an intermarried citizen to claim his rights in the Chickasaw nation, to reside there, that he has sufficiently complied with such provision and ought not to be denied his citizenship on that account. Particularly is this true when it is taken into consideration that it has been the policy of the Chickasaw Nation not to exact such residence but to make the right of such persons rest altogether on other facts. There is no requirement of this sort in their Constitution or laws, or in the Act adopting the Bourland family. And if the applicant could not avail himself of the treaty stipulation, because of failure to reside in the Nation, he certainly could not be deprived of the privilege of accepting citizenship according to the laws of the Nation itself.

We do not deem it necessary to discuss at any length the Act repealing the Act conferring citizenship upon the Bourland family. Inthe first place, the name of Cordentia Bourland does not occur in the repealing Act. In the next place, the Legislature had no power under the Constitution to repeal or destroy citizenship. The Legislature could exercise only such rights and powers as were conferred upon it by the Constitution, and none other. It possessed the power to confer citizenship, but it did not possess the power to destroy the citizenship of any person, and no such bill of attaindor or no such forfeiture of the rights of a citizen as this Act attempts can find the remotest authority in the Constitution itself. Besides, the rights conferred by the original Act of 1856 and conferred by the Treaty of 1866 and confirmed by the Constitution of 1867 and re-affirmed by the Act of 1876 was a vested and indefeasible right, of which no man could be deprived in this country without due process of law.

Without further discussion we submit that the rights of applicant and his family to citizenship in the Chickasaw Nation are clear and indisputable, and we respectfully ask that the name of the applicant and those of each of his family be placed upon the roll of citizenship prepared by this Honorable Commission.

Potter & Potter.
Attorneys for Applicant.

End

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Johnson, Ind. Ter.
Sept 3rd 1896

Hon. Dawes Commission
Vinita, Ind. Ter.

Dear Sirs:-

I herein send you papers in the case of Lucy Oblia Anglin a Chickasaw Indian by blood who claims that her child Anna May Anglin be enrolled on the Chickasaw list by you. Also Affidavits showing that she is a Chickasaw Indian by blood. Also affidavit Attached showing registration of exact Copy sent Governor Palmer & Mosely of the Chickasaw Nation.

Very respectfully
I. N. Folsom
Atty. for Applicant.

To the Hon. Dawes Commision,

Your petitioner Lucy Obelia Anglin states that she is a Chickasaw by blood and resides in the Chickasaw Nation, and that she was duly registered on the rolls by the Chickasaw Commisioners for the Leased District Money and that she recieved her pro rata of said payment, since said enrollment and payment a daughter has been born unto her, Ann May Anglin by name; that she desires enrolled as a Chickasaw by blood and that, affidavits showing that she is my child are hereto attached marked "Exhibit A"

Lucy Bedia Anglin

Subscribed and sworn to before me this 3rd. day of September, A. D. 1896.

Notary Public,

Southern District,

Indian Territory.

REGISTRY RECEIPT.

Post Office at Ardmore Ok

Registered Letter / Parcel No. 219 Rec'd 9-3 1896

of D N Folsom

a - Ok

addressed to Fr Palmer & Mosely

Tracy Mann Scott P. M.

Indian Territory

Chickasaw Nation

Pickens County

This is to certify that

D N Folsom has this day registered

a Letter & Deed Poison

a Chickasaw Nation Indian

addressed Before the Dawes Commission

a Chickasaw Indian by Blood, Also

for Lots from Baird's Addition

to Ardmore to the

Heirs of said Mann May Kaylin

Deceased Indian Blood.

Edgar Randlett

Subscribed & sworn to before me this 3rd

day of September 1896

Simon Landy

Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY

Pontotoc County
Chickasaw Nation
Indian Territory

This is to certify that Lucy Oberlin Hughes is a Chickasaw Indian by blood, and that she was registered or enrolled as such on the rolls of the Chickasaws for the Leon district payment, I am a Chickasaw by blood.

Emma E Hays

Subscribed and sworn to before me this 3d day of September A.D. 1896

Emma Hays
Notary Public

No 987

Levy Engelsin

Chickasaw Nation

Filed Sept 5-1894

A.S. McKennon

Clerk

Chickasaw Nation
Indian Territory
Pickens County

This is to certify that
Lucy Obelia Anglin is a Chickasaw Indian
by blood, having been acquainted with
the family and mother of the applicant
since her childhood and that the child
Anna May Anglin mentioned in petition
hereto is her child - I am a Chickasaw
by blood.

Bathie C Myers

Subscribed and sworn to before me this 3rd day of
September A.D. 1896

Summers Hardy
Notary Public

No 9307

In re.
Lucy Angelin
et al
vs
Chickasaw Nation

Answer

Filed Nov. 25-1896.
A. S. McKennon,
Court

In re.

Lucy Obelia Anglin et al.

The Chickasaw Nation excepts to the evidence submitted in support of said application because it says the same is insufficient to conclusively show the citizenship of the applicants

2

For answer, the Chickasaw Nation denies that said the applicants are citizens by blood or otherwise of the Chickasaw Nation. It says that they were never heard of as such. It says the applicant claims to reside in or near Ardmore I.T. at which place Richard McTish has resided since the year 1889 & that said applicants were never heard of by him, and that it is probable if such person had lived in that vicinity, and were Chickasaws he would have known of at least heard of them. It therefore denies that the applicants are its citizens. It

further shows the Commission that if the statements made by applicant are true. Both men appear on its rolls. for it alleges that during the months of Oct 1896. a complete roll of all citizens by blood was made by it, and no necessity exists for action here

Wherefore it prays that applicants be rejected here.

Chickasaw Nation

Richard McLish being sworn states that the matters & facts above set forth are true, Richard McLish

Subscribed and sworn to before me this. Nov 20th 1896.

A.S. McKennon
Clerk

End

1896 Chic 281

No.....

—CLAIM OF—

Sallie Johnson

FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED
A. S

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Sallie Johnson

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconsitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, untair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The evidence in this case shows that the applicant is of Chickasaw blood, but there is no evidence to show that said applicant is Choctaw blood.

The evidence does not show that claimant was married either according to the Choctaw or Chickasaw law.

Sallie Johnson.

By The Choctaw Nation
Stuart Gordon & Hailey
Its Attorneys.

No 4045

28½

Sallie Johnson

vs

Chickasaw Nation

Chickasaw Case

FILED SEP 1 61

[illegible] CLERK

[illegible]

Rec'd [illegible]

Atoka I.T.

South McAlester,Ind, ter, Sept,8th,1896.

Received this day - papers purporting to be copies ~~of~~ in the claim of _____ for Choctaw Citizenship , as follows,_____ Petition, marriage license and marriage certificate and affidavits of _____

_____.

Stuart Gordon & Hailey

Attorneys for the Choctaw Nation

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
Mrs Sallie Johnson Applicant for
enrollment as a member of the Choctaw Tribe of Indians

YOUR APPLICANT Mrs Sallie Johnson, respectfully represents to this Honorable Commission that she is a regularly recognized member of the Chickasaw Choctaw Tribe of Indians of the ~~Choctaw~~ Nation and is entitled to be placed upon the rolls, to be prepared by this Honorable Commission as a member of the Choctaw Tribe of Indians on the following grounds, to-wit:

1st. There is no true and perfect roll of the members of the Choctaw Tribe of Indians and no law or authority for the Choctaws to make such a roll.

2nd On the day of 18 y applicant was a white woman and a citizen of the United States and on said day was legally married to Geo W. Johnson, who was then and is now a regularly recognized member by blood, of the Choctaw Chickasaw Tribe of Indians, ~~a copy of~~ the marriage certificate ~~is hereto attached and marked~~ Exhibit "A," and made a part hereof.

That there was not then nor is there now, any law of the Choctaw Nation authorizing the issuing of a marriage license and it was and now is the established custom for Choctaw men to marry white women without a license from the Choctaw Nation and by such marriage white women become members of the Choctaw Tribe of Indians and are so recognized by the Choctaw authorities.

Your applicant files herewith the affidavit of as additional proof of the citizenship of said Geo. W. Johnson and the custom among the ~~Choctaws~~ and asks to be placed upon the rolls as a member of the ~~Choctaw~~ Tribe of Indians

Subscribed and sworn to before me this the
day of 1896

Notary Public for the Central District of the Indian Territory.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
Dora Sallie Johnson Applicant for
enrollment as a member of the ~~Choctaw~~ Chickasaw Tribe of Indians.

BE IT REMEMBERED That on this the day of 1896,
personally appeared before me the undersinged authority

who having been by me first duly sworn according
to law states on his oath as follows:

"I am years old, I am a resident of county of the
Choctaw Nation and a recoguized member of the Choctaw Tribe of Indians. I have known
Mrs Sallie Johnson and her husband for years,
her husband is a member, by blood, of the Choctaw Tribe of Indians and was such at the time he
married Sallie Johnson, I knew his father and mother and they
were recognized members of the Choctaw Tribe of Indians, Mrs. Sallie
Johnson has ever since her marrige been a recognized member of said
Tribe.

At the time of Mrs Sallie Johnson marriage to Geo
W. Johnson it was the custom among the Choctaws for Indian
men to marry white women without a license and license was not granted That custom still
prevails and white women who marry Indian men become members of said Tribe

Subscribed and sworn to before me this the
day of 1896.

NotaryPublic for the Central District of the Indian Territory.

POOR ORIGINAL -
BEST AVAILABLE COPY

End

1896 Chic 282

#35

No. 2820

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Dora Bethel Estate

VS.

Chickasaw — *Nation.*

Received and filed this *day of*

189.

Secretary.

ELEVATOR JOB PRINT FORT SMITH

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Lora Bethel vs. Chickasaw Nation, as follows:

Application & Evidence
Answer " "
Certified Copies entire
& judgment

WITNESS my hand and official seal at Ardmore

this the 5 day of July, 1897

Jos. M. Jacoway
Sec.

#35
#282 D

Dora Bethel
vs
Chickasaw Nation

In the United States Court,

IN THE INDIAN TERRITORY,

Southern District, at Ardmore.

Dora Bethol

No. 282 vs.

CHICKASAW NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, *Chairman of the Commission of the United States to the Five Civilized Tribes of Indians—*

SIR: You are hereby notified that an appeal has been granted in the matter of the application of Dora Bethol to be enrolled as members of the Chickasaw Tribe of Indians, from your Commission to the United States Court, for the Southern District in the Indian Territory, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your Commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in the trial and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and the Seal thereof, at Ardmore, Indian Territory, this 4 day of ~~December~~ Jan, 1897.

Josh Priddy *Clerk.*

Chic.Citizenship
Case 282

Muskogee, Indian Territory, November 10, 1903.

A. D. Brown,

Attorney at Law,

Lehigh, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of November 3, in which you ask what will be the fee for a certified copy of the judgment rendered by this Commission on November 23, 1896, admitting Dora Bethea (or Buttah), as an intermarried citizen and her daughter, Vester, as a citizen by blood.

In reply to your letter you are informed that no formal judgments were rendered by the Commission in citizenship cases heard under the provisions of the act of Congress of June 10, 1896. You are informed, however, that it appears from our records that on September 7, 1896, application was filed with this Commission under the provisions of the act of Congress of June 10, 1896, praying for the admission of Dora Bethea (or Buttah), as an intermarried citizen of the Chickasaw Nation and her daughter, Vester Buttah, as a citizen by blood of the Chickasaw Nation, and that on November 23, 1896, the Commission granted said application and admitted Dora Bethea (or But-

tah), as an intermarried citizen and her daughter, Vester Buttah, as a citizen by blood of the Chickasaw Nation in Chickasaw Citizenship Case number 282.

It further appears that appeal was taken from said decision of the Commission to the United States Court for the Southern District of Indian Territory, and that at Ardmore, Indian Territory, on March 10, 1898, said Court reversed the decision of the Commission in case entitled Dora Bethel, versus the Chickasaw Nation. Court Case (Citizenship Docket) number 35.

Respectfully,

Chairman.

Chic. Cit. 282

End

1896 chic 283

7

No. 283.

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Oliver K. King for the
Emptys Town King & al

VS.

Chickasaw Nation.

Received and filed this day of

189

Secretary.

ELEVATOR JOB PRINT FORT SMITH

FILED

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

Oliver L. Kingsbury vs. Chickasaw Nation, as follows:

Application & Evidence
Ans. " "
Certified Copy entries
& Judgment

WITNESS my hand and official seal at Ardmore

this the 25 day of Feby 1897

Jos. W. Phillips
Clerk

Ex parte #283

Allen Lee King et al.

ad Exmex

FILED SEPT. 30 1896
A. [illegible]

TO THE HONORABLE DAWES COMMISSION:

Ex Parte William Lee Fisher et al

Comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, it prays that the said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully goes to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, it asks that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By its Attorneys.

End

1896 chic 284-285 missing 11/3/4/

End

[redacted]

Roll 11

Target 2

Chickasaw Freedmen - Index

[redacted]

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[redacted]

Roll 11

Target 3

Chickasaw Freedmen Applications 1 - 3

1896 Chic FR 1

I W.J. Reed do swear that I am not interested in this claim and that a true copy of the petition and affidavits hereto attached was sent by registered mail to the Commissioner of the Chickasaw Nation August 31st 1896

W.J. Reed

Sworn to and subscribed before me this 8th day of Sept 1896

J.W. Willoughby
Notary Public

Original

Aaron Clark

Petition

United States of America
Indian Territory Chickasaw
Nation

To the Honorable Commission
to the five Civilized Tribes

Your petitioner Aaron
Clark would most respectfully
show to your honorable body that
he is the son of Simon
Clark who has this day
made application for citizen-
ship and respectfully asks
that his name be enrolled
as son of Simon & Margaret
Clark who are Indians.
and was also Chickasaw
freedmen and your petitioner
will ever pray

his
Aaron X Clark
mark

Sworn to and subscribed
before me this 14th day of
August 1896

Jno. Q. McKinzie
Notary Public

United States of America Chick-
asaw nation

Now on this day comes
J. B. Loggs and A. L. Ingram
whom

I certify to the reputable and entitled to credit and state that they saw affiant sign the above petition and that the said petitioners is credible and the person he represents his self to be J. B. Dagg

A L Singleton

Sworn to and subscribed before me this 14th day of Aug 1896.

Jno. G. McKnight

notary Public.

41327

Aaron Clark
Chickasaw

Fred Dept 9-1896
A.S. 2 U.S. Ken nm
Com—
Fee

Ada
I.T.

United States of America
Chickasaw Nation
Indian Territory

In the matter of
the Claim of Simon Clark
to be enrolled as a Chickasaw
Indian Simon Clark & Margrate Clark being duly sworn
in relation to said Claim
testify as follows to wit

our Names is Simon and
Margrette Clark Aaron Clark
is our son we have been
living Wether as man and wife
under the Customs of the Chickasaw
Indian for more than 20 years
I am the same Simon Clark
who has made application to
be enrolled as a Chickasaw Indian
and I am the same Margrette Clark
who has made application to be
enrolled as a Chotaw freedman

his
Simon X Clark
mark

her
Margarette X Clark
mark

sworn to and subscribed before
me this 24th day of August 1896

Jno. G. McKinney
Notary Public

1110

Chas. Clark

to

Chilcoat Matin

Evidence & Answer

Freedman

FILED OCT ... 18...
A. S. McKENNON
COM'R.

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :

Ex Parte_____

Comes now the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the ,laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Approval.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation

of_____

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving ay exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First--That the laws of the Chickasaw Nation forbid the intermarriage of a Chickasaw Indian by blood with any negro.

Second--That the laws of the Chickasaw Nation have never adopted any of its freedmen;but refused to accept that condition of the Treaty which stipulated that they should have two years and ninety days in which to adopt the said freedmen: all of which appears by the various Acts of the Legislature of the Chickasaw Nation, and which will hereafter be submitted as exhibits in these cases.

Third--That the Chickasaw Nation is not advised whether or not the applicants herein are Chickasaw Freedmen; but says that it has a roll of all original slaves owned by the Chickasaws at the date of the Emancipation, which it can furnish to this Honorable Commission, if it should be held that said Freedmen are entitled to any rights, privileges or immunities in the Chickasaw Nation, mentioned in said Treaty--which is not conceded by the Chickasaw Nation, but is especially denied.

Fourth--The Chickasaw Nation says that no rights could ever be conferred, (if any rights were had), by the Chickasaw Freedmen, by intermarriage, upon another and different person, or the descendants thereof.

W H E R E F O R E , The Chickasaw Nation prays that the application herein, together with all others of Freedmen, be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

End

1896 Chic FR 2

In re

Addie Goldsmith
et al

v

Chickasaw Nation

Demurrer
and Motion

Filed Oct 21/96.

Hemsaway
Clerk

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :

Ex Parte Annie Goldsmith et al.

Now Comes the Chickasaw Nation, by its Attorneys, and respectfully excepts to the application filed herein, and says that the same is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation

of _____

-----o-----

Comes now the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First--That the laws of the Chickasaw Nation forbid the intermarriage of any negro with a Chickasaw Indian by blood.

Second--That the laws of the Chickasaw Nation have never adopted any of its Freedmen;but refused to accept that condition of the Treaty which stipulated that they should have two years and ninety days in which to adopt the said Freedmen: all of which appears by the various Act of the Legislature of the Chickasaw Nation, which will be hereafter submitted as exhibits in these cases.

Third--That the Chickasaw Nation is not advised whether or not the applicants herein are Chickasaw Freedmen; but says that it has a roll of all the original slaves owned by Chickasaws at the date of the Emancipation, which it can furnish to this Honorable Commission, if it should be held that the said Freedmen are entitled to any rights, privileges and immunities in the Chickasaw Nation mentioned in the Treaty--which is not conceded by the Chickasaw Nation, but is especially denied.

Fourth--The Chickasaw Nation says that no rights could ever be conferred, (if any rights were had), by the Chickasaw Freedmen, by intermarriage, upon another and different person, or the descendants thereof.

W H E R E F O R E , The Chickasaw Nation prays that the application herein, together with all others of Freedman, be rejected, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

Copy

To the Honorable Dawes Commission,
VINITA, INDIAN TERRITORY:

Addie Goldsmith et al., vs. Chickasaw Tribe or Nation of Indians

Newton Blaney, after being first duly sworn, deposes and says, that he is 60 years of age and resides near Purcell, Indian Territory, and that he knows Addie Goldsmith to be the daughter of Patsy Goldsmith (deceased) who was a Slave by Lizzie Guthrie a Chickasaw Indian by blood, and that Patsy Goldsmith was the mother of Solomon & Jeamesh Goldsmith who were under the control of Addie Goldsmith.

Newton Blaney

Subscribed and sworn to before me this 4 day of Sept, 1896. E Cobb Notary Public.

To the Honorable Dawes Commission,
VINITA, INDIAN TERRITORY:

Addie Goldsmith et al., vs. Chickasaw Tribe or Nation of Indians

Nancy Lawson, after being first duly sworn, deposes and says, that he is 70 years of age and resides near Kibbe, Indian Territory, and that she knows Addie Goldsmith to be her granddaughter, that she was a descendant of Patsy Goldsmith (deceased) who was a Slave by Lizzie Guthrie a Chickasaw Indian by blood, and that Patsy Goldsmith was the mother of Solomon & Jeamesh Goldsmith who were under the control of Addie Goldsmith.

Attest R. Divill

Nancy Lawson

Subscribed and sworn to before me this 4 day of Sept, 1896. E Cobb Notary Public.

3410

Addy Galdsmith
vs
Anckasaw Nation

FILED SEP. 8 - [illegible]
A. S. McKELVOR
[illegible]

Addy Galdsmith
Purcell I.T.

To the Honorable Dawes Commission,
VINITA, INDIAN TERRITORY:

A Commission appointed by the Congress of the United States to pass upon all claims for citizenship in the five civilized tribes, to make a roll of all Chickasaw and Choctaw freedmen and for other purposes.

vs

Et Al.,

Nation of Indians

PETITION:

that he has the following Indian blood and under his control:

, age ;

, age ;

, age ;

, age ;

, age ;

, age ;

, age ;

and that he has never received any compensation from the government as provided for in the treaty of Fort Smith, concluded on April 28th, 1866

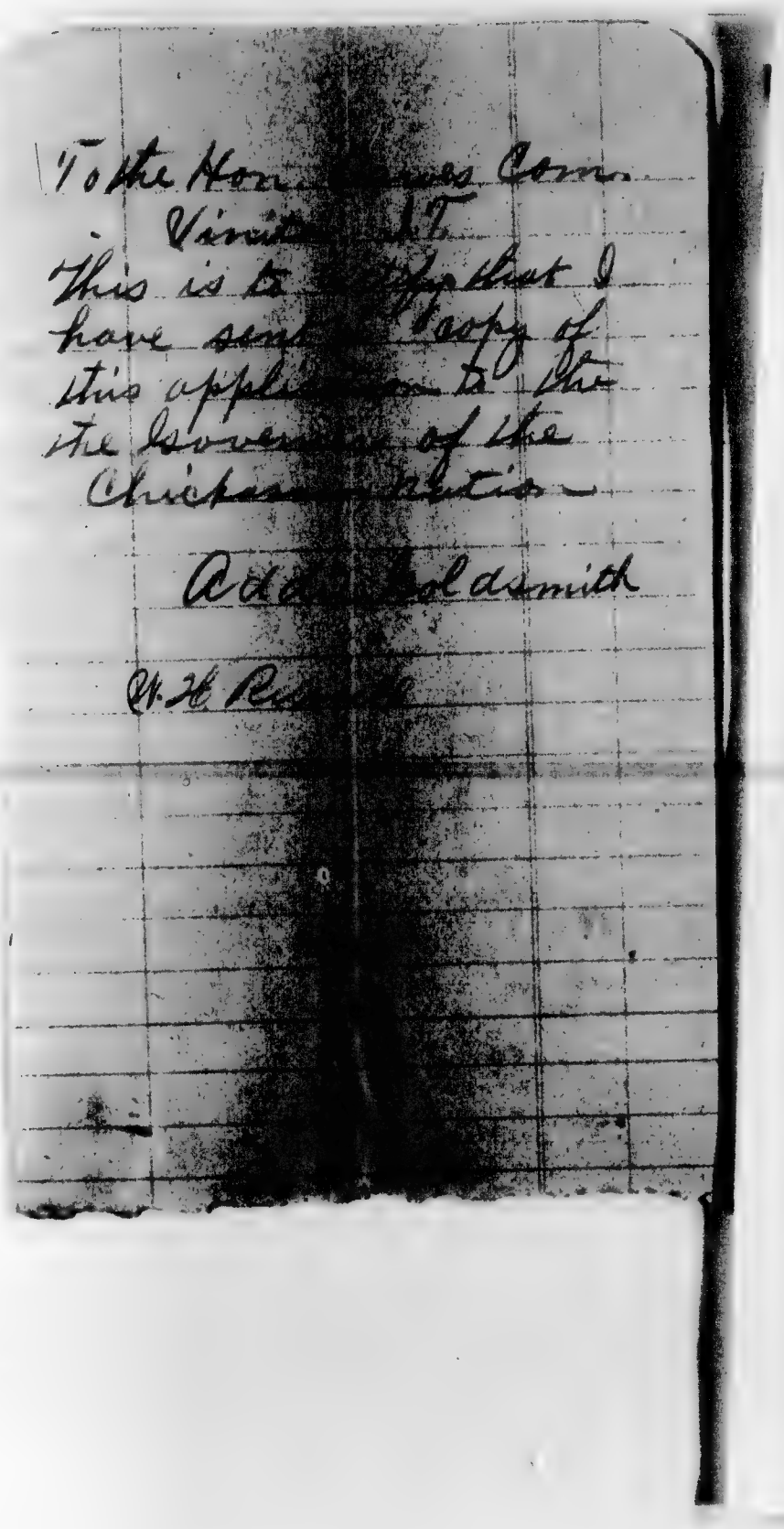
Wherefore your petitioner prays that all the foregoing names be placed on the roll of

and for all other and further relief.

I, do solemnly swear that the above and foregoing facts are true as I verily believe.

Subscribed and sworn to before me this day of , 1896.

Notary Public


To the Hon Indian Comm
Washington D.C.
This is to certify that I
have sent a copy of
this application to the
the Governor of the
Chickasaw Nation

Addison Goldsmith
Ch. Nation

POOR ORIGINAL -
BEST AVAILABLE COPY

End

1896 chic FR 3

4132 -

Pete Brown

Chickasaw

Field Sh. P 1896

A. S. McKinnon

Ada I.T.

I W. J. Reed do swear that I am not interested in this claim and that a true copy of the petition and affidavits hereto attached was sent by registered mail to the governor of the Alaska on Motion August 31st 1896

W. J. Reed

Sworn to and subscribed before me this 8th day of Sept 1896

A. McKinzie
Notary Public

United States of America
Cherokee Nation Indian Territory.

To the Hon Dawes Commission
to the five Civilized Tribes

Your petitioner Peter Brown
would most respectfully submit
the following grounds upon which
he should be enrolled as a Cherokee
freedman as follows Viz.

petitioner was a slave and
belonged to Tom Reed a full
blood Cherokee Indian
wherefore petitioner asks
that he be enrolled as a Cher-
okee freedman and he will
pray &c.

R. P. Perry
A. Johnson

Peter X Brown
mark

Sworn to and subscribed before
me this 25th day of August 1896.

Jno A McKenzie
Notary Public.

Für Baron Erfa,
Petition

In the United States Of America
Chickasaw Nation Indian Territory
In the matter of the Claim
of Peter Brown

Kilo Brown being sworn
in relation to said Claim testifies
as follows to wit.

My Name is Kilo Brown
I know Peter Brown have known
him ever since he was a baby
Peter Brown was born a slave
belonging to Chunnieka a full
blood Chickasaw Indian Chunnieka
sold Peter Brown about 1864
to Simon Kirk, Simon Kirk
was a full blood Chickasaw
Indian and owned Peter
Brown from beginning of the
war until he was freed by
the war Peter Brown was born
in the Chickasaw Nation at it
date of the Treaty of Ft Smith
I am not kin to Peter Brown nor
interested in his Claim I am
in person a Chickasaw Indian about 75-
of Years old My Post Office is Ada
Thos X Jones Okla.
his
Kilo X Brown
mark.

sworn to and subscribed before me
this the 26th day of Aug 1816

Jno. A. McNairy
A Judge Pro Tem

4132 -

Pete Brown

Chickasaw

Filed Sept 9 1896

A. S. McKinney

Ada I.T.

United States of America
Cherokee Nation
Indian Territory.

In the Matter of the Claim
of Peter Brown to be enrolled as a
Cherokee freedman

Mrs John Newberry whose
Indian Name is Ishta Mosk cha
being duly sworn in relation
to said Claim of Peter Brown
testifies as follows to wit.

My English name is Mrs John
Newberry My Indian Name is Ishta
Mosk a cha I am old dont know
just how old I came here with
the Indians from Mississippi I
am a full blood Cherokee Indian
I Know Peter Brown have known
him ever since he was small boy.
I know that he was a slave was
born at the date of the treaty, [illegible]
belonged to Isom Keel a full blood
Cherokee Indian. I am not kin
to Peter Brown My Post Office is Ada

in presence of
H West- I.T.
H Brookshire

English Name Mrs John Newberry
Indian Name Ishta Mosk a cha

Sworn to and subscribed before me this
20th day of August 1896

J. M. A. McGinnis
Notary Public

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES:

In Re _____

Now comes the Chickasaw Nation, by its Attorneys, and respectfully shows to this honorable commission that the application filed herein herein is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second--For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third--For further special exception, the Chickasaw Nation say that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights and privileges as a citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION,

By Its Attorneys.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

-----o-----

In the Matter of the Application for Enrollment in the Chickasaw Nation

Of

-----o-----

Now comes the Chickasaw Nation, by its Attorneys, and, without waiving any exception heretofore taken to the application filed herein; and without consenting to, but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First--That the laws of the Chickasaw Nation forbid the intermarriage of a Chickasaw Indian with any negro.

Second--That the laws of the Chickasaw Nation have never adopted any of its freedmen; but refused to accept that condition of the Treaty which stipulated that they should have [illegible] years [illegible] ninety days in which to adopt the said freedmen: all of which appears by the various acts of the Legislature of the Chickasaw Nation, and which will hereafter be submitted as exhibits in these cases.

Third--That the Chickasaw Nation is not advised whether or not the applicants herein are Chickasaw freedmen; but says that it has a roll of all the original slaves owned by the Chickasaws at the date of the Emancipation, which it can furnish this Honorable Commission, in which should be held that said Freedmen are entitled to any rights, privileges or immunities in the Chikcasaw Nation, mentioned in the Treaty--which is not conceded by the Chickasaw Nation, but is especially denied.

Fourth--The Chickasaw Nation says that no rights could ever be conferred, (if any rights were had), by the Chickasaw Freedmen, by intermarriage, upon another and different person, or the descendants thereof.

W H E R E F O R E , The Chickasaw Nation prays that the application herein, together with all others of freedmen be rejected, and will ever pray, etc

THE CHICKASAW NATION,

By Its Attorneys.

End

END OF REEL 1

A C A

IMAGE EVALUATION TEST TARGET (MT-2)

POINT SIZE

4
6 Hg47j W9pa9 A7o7q Ge92
8 Su1xi 33q7n Oelvf 4ef8k
2xbiy Gmn0c
10 Y5a5o E1t9g
7n34a K2b8t
12 D6fmh 9ss9d
Wcuzl L1cdg
14 6Y3sl Okjdg

FUTURA

NEWS GOTHIC

K2b8t Okjdg
14 4ef8k Gmn0c
Zlo6x Ge92
12 7n34a 6Y3sl
Y0r8j A7o7q
10 Oelvf 2xbiy
9ss9d L1cdg
8 33q7n E1t9g
6 Z35lg Hq47j Su1xi Y5a5
4

POINT SIZE

150mm

1.0 1.1 1.25 1.4 1.6 1.8 2.0 2.2 2.5 2.8 3.2 3.6 4.0 4.5 5.0 5.6

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6 IZC6B U5M7P PN6SB 0IKOG
8 XMBBO HWEKH XYAHQ SIDDS
10 VILNU MZHSF XMBBO HWEKH
12 6FRKM EB7AU FUDWM BOONF
14 C9E83 BI8AJ Z7QYI 0KJDQ

POINT SIZE

SERIF (BASKERVILLE) SANS SERIF (MICROFONT)

6"

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